

Hard Look

at

Tendering

Issue

THE GOVERNMENT HAS ARTICULATED ITS SUPPORT FOR THE OPEN TENDER IN ITS PROCUREMENT SYSTEM. WITH THE 9MP UNVEILED, ARE ITS WORDS BEING TRANSLATED INTO ACTION?

STORIES BY OOI SUE HW'EI

WHEN Prime Minister Datuk Seri Abdullah Ahmad Badawi announced a slew of projects in July for implementation under the Ninth Malaysia Plan (9MP), there was much cheer and excitement from the business community, especially contractors.

Abdullah announced that 880 construction projects worth a total of RM15 billion would be tendered out. Some of them were worth RM2 million to RM3 million while others exceeded RM100 million.

Given the huge number of projects involved, there was much anticipation that everyone would get an even chance of tasting the pie. Unfortunately, days later, there was talk that more than half of the larger projects had already been 'awarded' to various parties.

This, of course, led to denials by the authorities. But there have been allegations of major government projects being awarded on a negotiated basis. Often, the excuse is that they had to be implemented on a fast-track basis or were of great urgency.

So the Prime Minister's assurance that tenders should be called for every project could be falling on deaf ears.

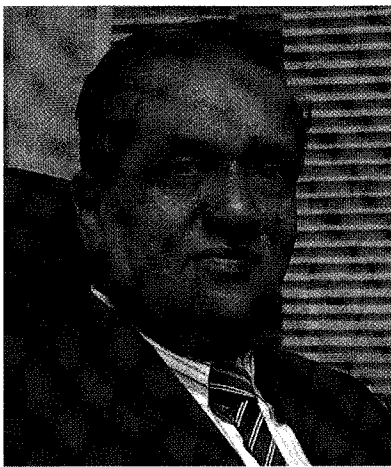
Given this, there are fears that even if tenders were invited, the selection process may not be transparent.

When Abdullah first took office three years ago in October 2003, he had promised that there would be transparency in awarding of government projects. Subsequently, he made several announcements on the implementation of projects through the tender process.

In 2004, he promised that the Government would upgrade the tender and other systems it used to procure products and services. This would be in line with its efforts to increase transparency, lower the cost of doing business and reduce corruption. The promises were repeated when he announced the development projects for the 9MP during the unveiling of Budget 2007.

So, is the Prime Minister's assurances coming to pass? Will the calls for greater transparency be heeded?

Actually, calls for the implementation of open tender exercises for government projects are not new. They have been occurring time and again. It's no secret that there have been many reports of projects awarded outside the tendering process that have gone awry. Both the Treasury and ePerolehan, which is the Government's electronic procurement system, declined to reply to queries by *Malaysian Business*.



Navaratnam: The public must be involved in monitoring projects that go wrong

President of Transparency International Malaysia, Tan Sri V Ramon Navaratnam, who once served as the Transport Ministry Secretary-General and Treasury Deputy Secretary-General, says during his civil service days, policies and guidelines were meticulously followed and not dovetailed to suit or favour any supplier.

He explains, 'When Tengku Razaleigh Hamzah (then the Finance Minister) was there, the tenders were codified and required detailed information. The quotations were then evaluated based on price and quality and had to offer specifications that were general as well as generic. Since the costing was based on a bill of quantities, this resulted in a reasonable tender price.'

Malay Contractors' Association president Senator Datuk Roslan Awang Chik says the present open tender system uses the mean cut-off system. 'The total number of applications for a tender is averaged out and the mean is obtained and submitted to the tender committee,' he says.

'In the past, the lowest and second lowest bidders would be given priority. However, the current system's priority is to ensure that a project is successfully completed. Thus, a tender is evaluated based on its price as well as the company's financial strength and credibility.' (See flowchart of the open tender process on page 25.)

A further 2,000 projects approved under the Eighth Malaysia Plan have been carried forward to the 9MP. According to a recent press report, they include an Islamic complex in Pahang, a veterinary complex in Perlis, three water supply projects in

Kedah, Lower Court buildings and public libraries in Penang, low-cost housing projects in Selangor and Egypt's Al-Azhar University campus in Melaka.

In view of the number of projects and the costs involved, it is imperative that the projects are awarded to the most deserving through a transparent process, in particular the open tender. However, despite calls for this, many big projects are being implemented through direct negotiations. In many cases, mishandling of the projects has resulted in problems such as delays and cost overruns.

One of the biggest mismanaged projects that have come under public scrutiny is the Malaysia External Trade Development (Matrade) headquarters building in Kuala Lumpur. The project, which did not go through open tender, was delayed for nine years, during which its original cost ballooned from RM167 million to RM287.5 million, with RM64.8 million spent to repair shoddy work.

Some say the situation could have been avoided. Since the controlling officer of a project under the government contract system is the Public Works Department (PWD)'s director-general, the department should have taken remedial action when problems first started to surface.

According to Auditor-General Tan Sri Ambrin Buang, in most cases, projects were delayed or failed due to lack of allocation, delay in receiving loans, and land and site problems (see Table 1 for summary of the AG's Report).

But there are many more issues involved and the worst part is that we don't seem to be learning from our mistakes. In April,



Ambrin: Found that most projects were delayed or failed due to lack of allocation

Works Minister Datuk Seri S Samy Vellu defended the Government's decision to appoint Gerbang Perdana Sdn Bhd to build the Customs, Immigration and Quarantine flyover link to the Johore Causeway without open tender. He said the contract was given to Gerbang Perdana to 'save time and cost'.

Recently, the Economic Planning Unit appointed several contractors through direct negotiation for the construction of 33 hospitals. The reason given was that these hospitals were urgently needed.

It was reported that the selection was made before the contract price was negotiated between the contractor, the PWD and the Health Ministry. More alarmingly, it was found that four of the contractors were not registered with Pusat Khidmat Kontraktor (PKK). And of the four, only one was registered with the Construction Industry Development Board.

Is the tender process no longer relevant and fit for relegation to the bins of history?

PAS secretary-general Kamarudin Jaffar says, 'As a matter of principle, all government projects should be openly tendered, with the appropriate departments transparently managing them. Only in certain instances, such as during the recent tsunami crisis, are negotiated tenders warranted, but even this should go through a transparent process.'

DAP secretary-general Lim Guan Eng questions the level of accountability with negotiated contracts. He says the increase in the number of such contracts serves as an indicator to local and foreign investors that 'the Government is not at all serious about transparency, accountability and integrity, despite the apparent rhetoric'.

He adds, 'When the PM first came to power, he promised that all contracts would be competitively tendered. However, he appears to have reneged on that promise with the recent award of large contracts to various parties via direct negotiation.' Lim says that if a competitive tender award process is 'too slow', then the officers in charge need to ensure a smoother and more efficient process.

Finance Ministry parliamentary secretary Datuk Seri Dr Hilmi Yahaya was reported as saying that the ministry regularly updates the rules on awarding work tenders, based on current trends and needs. This, he said, was to speed up the

implementation of government projects and improve service delivery to the people.

In August, the Government agreed to allow ministries or agencies to implement projects worth up to RM5 million on their own without having to refer to the PWD

and Drainage and Irrigation Department. While this move reduces time-wasting red tape, how can the Government ensure that abuses don't arise?

This is where the Public Accounts Committee (PAC) plays an important role.

Its chairman Datuk Shahrir Abdul Samad says that since the beginning of the current Parliament, the PAC has expanded its role to audit accounts of projects or issues of public interests. He observes that in many cases, projects run into problems due to

Table 1: AG's Report – Instances of Abuse Relating to Tenders and Contracts

Ministry/Department/ Statutory Bodies	Project	Comments
Ministry of Works The Public Works Department	Construction of road and stabilisation of slopes project at Fraser's Hill, Pahang for RM55.8 million.	There was a delay of eight months in the completion of the road construction project due to various problems faced by the contractor which was appointed by the PWD. The contractor for the stabilisation of slopes project was selected through limited tender. After project completion, many slopes were still unstable due to slope design defects and the cutting of slopes which was not done in a proper manner.
Ministry of Health	Construction of 33 hospitals from the Eighth Malaysia Plan at a cost of RM7.52 billion.	Projects were done through direct negotiation. Reason given was these hospitals were urgently needed. A number of the contractors selected were not registered with the Centre for Registration of Contractors and the Construction Industry Development Board of Malaysia. There were delays in the completion of projects and the quality of construction work was poor. The National Audit Department believes it is not appropriate to award the projects to selected contractors through direct negotiation as there are many available local contractors who have the expertise and experience to carry out similar projects.
Ministry of Federal Territory The City Hall Of Kuala Lumpur	Management of enclosed car parks.	The appointment of operators to manage the 10 parking lots was based on individual applications only. All the operators who had rented the car parks had made rental payments late. There were also operators who failed to renew the public liability insurance policy, imposed car parking rates not in accordance with the agreements and who also re-rented out the car parks to third parties. The National Audit Department had recommended that all operators be appointed through open or limited tenders.
Ministry of Federal Territory The City Hall Of Kuala Lumpur	Privatisation of development projects.	Developers for Bandar Sri Permaisuri and Desa Sri Puteri were appointed through selected tender. The City One Kuala Lumpur, Plaza Rakyat and Warisan Cityview projects were implemented through direct negotiation based on applications from individual developers. The National Audit Department found that the developer for the Warisan Cityview project only has a paid-up capital of RM0.25 million. While the selection of the contractors through direct negotiation to implement projects through privatisation is in line with the EPU's support for privatisation, in the case of the Warisan Cityview project, DBKL should not have agreed to allow the developer to delay the project up to nearly four years after awarding it. Other developers should also be invited to implement this project to ensure transparency of the selection process. The National Audit Department recommends better project planning, a more careful check on the integrity and qualification of the contractors from a financial standpoint, stricter actions against developers who fail to keep to their agreements, and better coordination between the various agencies involved.
Ministry of Federal Territory Labuan Corporation	Basic infrastructure upgrading project at Kampung Air Patau-Patau 1.	The project consultant was appointed through direct negotiation. The selected contractor had offered a contract price of RM16.43 million. However, the project was not completed within the stipulated period, the cost of the project escalated to RM19.49 million and despite the certificate of completion of works being issued in March 2004, the sewerage system was still not functioning.
Ministry of Finance Treasury – National Disaster Relief Fund	Construction of 220 temporary homes in Kota Kuala Muda, Kedah and Tanjung Bungah, Penang at a cost of RM4.48 billion.	The contractors for both projects were selected through direct negotiation. The 120 temporary homes in Kota Kuala Muda, Kedah cost RM2.85 million, which the National Audit Department believes is too high for the quality of materials used. The project's contractor is not registered with Pusat Khidmat Kontraktor. The 100 temporary homes in Tanjung Bungah, Penang were built by a contractor which was not a subsidiary of the state government at a cost of RM1.63 million.
Majlis Amanah Rakyat (MARA)	Acquisition and management of buildings and business premises.	Out of 47 private finance initiative projects, five projects had to be retendered. One of the main reasons the contractors could not proceed with the projects was because they faced financial problems. Out of eight projects that required time extension, five had one to seven time extensions. The National Audit Department found that these delays were caused by inadequate planning, late approval by local authorities, changes in the projects' plans and delays caused by the contractors.

Source: 2006 Auditor-General's Report

inadequate planning (*see Q&A with Shahrir on page 28*).

For example, under the 8MP, the Rural and Regional Development Ministry had received an allocation of RM854.92 million to improve rural water supplies. The National Audit Department's 2004 report showed that while RM583.7 million or 68.3% had been spent between 2001 and 2004, only 1,898 or 36.4% out of a total of 5,208 projects were implemented.

The AG's latest report shows that between 2001 and 2005, the ministry was allocated RM700.43 million. From this figure, RM698.40 million or 99.7% had been spent but only 149,876 or 41.6% of 360,000 homes had water supply.

And now, Energy, Water and Communications Minister Datuk Seri Dr Lim Keng Yaik has announced that the Government will soon be offering RM931 million worth of water-related contracts, which are part of 310 projects worth RM12.2 billion under a five-year development plan. How satisfactorily will they be implemented?

DAP's Lim says the speed and transparency with which the bidding system is implemented leaves much to be desired. 'We would like to see all Government and GLC (government-linked companies) tenders and request-for-quotations (RFQ) be published online in a central procurement database to be viewed and supplied by all qualified parties.'

He says to promote transparency and

proper governance as well as reduce elements of corruption and impropriety, all information on the participating parties and bid amounts as well as the bid winner should be published online for public scrutiny. 'This way, the likelihood of leakage through significantly overpriced bids and quotations can be checked and substantially reduced,' he says.

Lim points out that for a decade, a neighbouring country has implemented such a system for all its government projects. Within two working days of a bid closure, the list of participants of a tender, as well as their bid value and details of their bids, are published online. Is there a reason Malaysia cannot follow suit?

A check with various government websites which purportedly give information on tenders reveals that transparency is wanting (*see box story below on 'Not Much On Government Websites'*).

Kamarudin is rather sceptical about the whole thing. 'In the first place, we are still not sure whether an open tender system will really be adopted because what we hear is that most of the major projects have been awarded,' he says. As for project delays, he believes most of them can be avoided if there are clear directives and no interference with the process once the relevant government agencies have started work on them.

The PAS leader says negotiated tenders should only be used if a project calls for



Lim: Says all information pertaining to a tender exercise should be published online

specialised skills, but the manner the tender is executed should be examined. If the contractor selected is not really a specialist, it would be an abuse of the tendering system.

Ramon says, 'For a project to be awarded through negotiated tender, the Government must have strong justification. It should also be held accountable if there is any abuse.'

He also thinks there should be an examination of the human aspect of the tender process. 'How can we ensure that the tender committee selects the best bid and in a fair manner? If the lowest bid is not accepted, the reason must be made public. The committee's decision must be

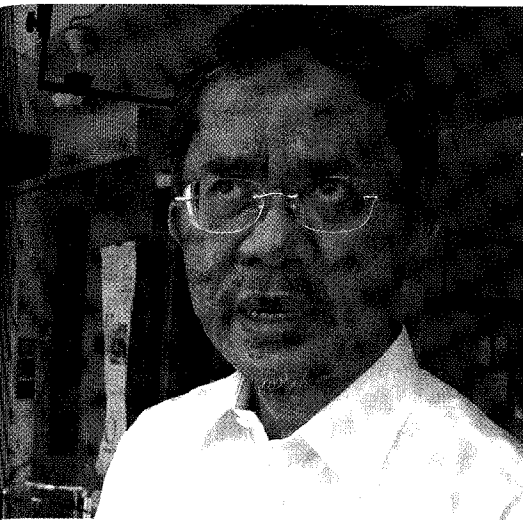
Not Much On Government Websites

THE list of projects under the 9MP is available on the websites of the Prime Minister's Department (www.pmo.gov.my), the Finance Ministry (www.treasury.gov.my) and the Economic Planning Unit (www.epu.jpm.my).

More information on tenders are available on the website of the Malaysian Government's official portal (www.gov.my), the Public Works Department's website (www.kkr.gov.my) and the Construction Industry Development Board's website (www.cidb.gov.my).

On checking the websites, we find that the information available is rather limited. Details of bidders for the projects and their bid prices as well as the successful bids are not published.

On the other hand, the Government of Singapore has an internal policy of publishing the bidders for a project after the closing date on its website (www.gebiz.gov.sg). The details of the winning bid are also available after the project is awarded.



Kamarudin: As a matter of principle, all government projects should be openly tendered

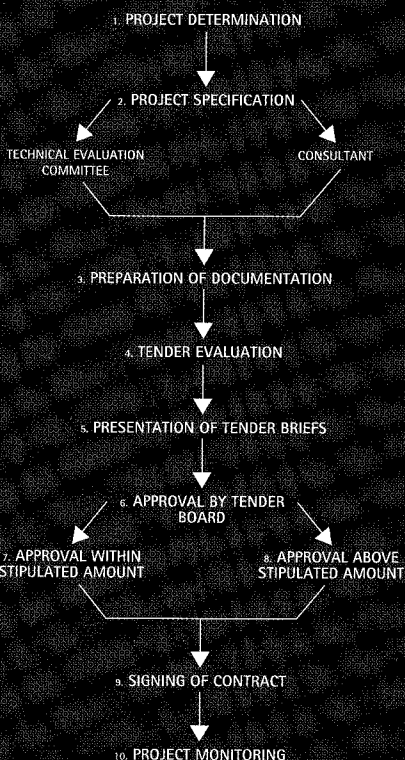
based on merit alone. They must ensure that the contractors are able to meet tender specifications and delivery time as well as evaluate them based on their financial standing, technical competence and track record.'

Ambrin says the smooth execution of projects is not dependent only on the bidding process. There's also the actual performance by the contractors and the effectiveness of the on-site monitoring team to consider. He says, 'Ideally, we want to see projects get completed on schedule with no additional costs, no major defects quality-wise and above all, the projects should bring the intended benefit to the target groups.'

He says this can be achieved if good contractors and overseers are selected regardless if the projects go through open tender or otherwise. While delays and wastage should be avoided, sometimes they are unavoidable due to prolonged bad weather, squatter issues, disruption of supply of materials, last minute changes in the scope of work or variation orders.

'Delays can be minimised through meticulous and integrated project planning since project implementation often involves many parties and bodies which require consultation and coordination,' adds Ambrin. 'Such delays could also be minimised if contractors who do not perform due to mismanagement are dealt with more seriously and promptly. Errant contractors who are not speedily replaced will cause further project delays and even additional costs for the Government.'

Flowchart of the Open Tender Process



1. Project Determination

The relevant agency determines the type of project and scope of work.

2. Project Specification

The agency specifies if the project is to be implemented by the Technical Department or consultant. For projects worth more than RM200,000, qualified bidders must be registered with the Construction Industry Development Board of Malaysia and Pusat Khidmat Kontraktor (PKK).

3. Preparation of Documentation

Agency prepares tender documents which include instructions to the bidders, scope of work, tender requirements, price guideline, duration of project, technical plans, profile and financial strength of bidders, and others. The tender is then advertised in the local media stating the type of tender, class of contractor and other mandatory requirements.

4. Tender Evaluation

After the closure of tender, the Tender Opening Committee appointed by the agency will open and classify the tenders accordingly. The Technical Evaluation

Committee will evaluate the tenders based on the technical specifications while the Price Evaluation Committee will evaluate based on the best offer price. A tender brief is then prepared based on the recommendations by both committees.

5. Presentation of Tender Briefs

The tender briefs are presented to the tender board. The tender board at the ministerial or government departmental level has powers to approve tenders below RM50 million. The tender board at the state level, and statutory bodies and government-owned companies have powers to approve tenders below RM20 million and RM100 million respectively. Tenders valued above RM100 million have to be referred to the Finance Ministry.

6. Approval by Tender Board

For tenders within the stipulated amount, the winning bid is decided by the agency's tender board. The board may give either an unconditional or conditional approval.

7. Approval within stipulated amount

If the price of the winning bid is negotiated, the results of the negotiation must be presented to the agency's tender board for final approval before a decision letter is issued. If unconditional approval is given, the agency must issue an acceptance letter to the winning bid.

8. Approval above stipulated amount

For tenders above the stipulated amount, the agency's tender board will forward the bid to the Finance Ministry to be finalised. If conditional approval is given, the agency must then negotiate and inform the Finance Ministry for a final decision.

9. Signing of Contract

The contract document should be signed no later than four months after the issuance of the letter of acceptance. The contract agreement is signed once the company issues a performance bond.

10. Project Monitoring

The agency must ensure that the clauses of the contract are adhered to and enforced. The project's implementation must be monitored and performance feedback given. The agency must ensure that the company implements the project well and payment is made accordingly.

A contractor who wishes to remain anonymous admits that there are bad apples in the industry. He says some contractors, desperate for government projects, put in bids that are way below the market price, leading to difficulties later on when they try to complete the project.

He says the fault also lies with the Government as its guidelines on the prices of construction materials are at least five to 10 years out of date. This makes it difficult for contractors to produce a reasonable quotation, resulting in some using poorer quality materials and lowering workmanship standards.

This further highlights the need for constant on-site supervision. At the ministerial level, a monitoring system is already in place through the Implementation Coordination Unit (ICU) in the Prime Minister's Department. The Government also has a high-level monitoring committee in the form of the National Implementation Directorate (NID) and has identified all bottlenecks at state and federal levels in addressing the issue of inefficiency.

NID executive director Datuk Dr Sulaiman Mahbob says the Government takes seriously the planning and implementation components of its projects. He says in a study of 20 projects implemented through open as well as negotiated tenders, it was found that good planning and design and proper monitoring were what set apart the successful projects from the problematic ones.

As a result of the findings, significant changes are being implemented including real-time monitoring of projects, as well as project risk analysis and impact analysis. The NID and ICU will also be at hand to address inefficiencies. Thus, Sulaiman says, 'While we may appear slow (in implementing new projects), we want to plan them well.'

At a recent launch of 20 high-impact projects, Minister in the Prime Minister's Department, Datuk Seri Mohd Effendi Norwawi, explained the Government's stance. He said there would be a dedicated team to take care of high-impact projects (HIP).

'Unlike previously, the Government now wants to ensure that when a HIP is implemented, it does not go awry. We have



PHOTO BY HAN IZHAR ABU BAKAR

Effendi: Announced the formation of a dedicated team to take care of high-impact projects

learnt from previous mistakes. Projects are implemented but they fail. Schools are built but are not fit for occupation and hospitals cannot be used. There was no proper monitoring of the projects. The NID is now the difference, with dedicated monitoring teams for every HIP,' he says.

Effendi declined to respond to queries by *Malaysian Business* on how many projects had been tendered out or what

their progress was.

Ambryn says many parties are involved in monitoring the smooth implementation of projects. 'What is important is close and regular monitoring and a proactive role by the project director, normally the secretary-general or the director-general.'

He says project directors have a heavy responsibility to monitor their officers in supervising a contractor's work on-site and not depend entirely on written reports. While they should resist making changes once work has started, they also need to make timely decisions on applications pertaining to variations orders, extension of time and progress payments because these would directly affect the progress of the project.

'A project's successful outcome relies heavily on the due diligence of a contractor's capabilities in terms of financial, technical and managerial competencies. Regardless of how the contractors are chosen, it is more important that they deliver a project without unjustifiable delays and without sacrificing quality.'

In that case, what action can be taken in cases of projects that go awry? Malay Contractors' Association's Roslan says the

Government Tender Exercises

Ministry	Department Involved	No. of Tenders	Bid period
Ministry of Agriculture and Agro-Based Industry	Malaysian Agricultural Research and Development Institute (MARDI)	7	Oct/Nov
Ministry of Domestic Trade and Consumer Affairs	Intellectual Property Corporation of Malaysia	1	Oct
Ministry of Education	-	1	Oct
Ministry of Entrepreneur and Cooperative Development	Council of Trust for Indigenous People (MARA)	124	Jan-Oct
Ministry of Federal Territory	City Hall of Kuala Lumpur	19	Oct
Ministry of Finance	Employees Provident Fund	3	Oct
Ministry of Health	-	48	Oct/Nov
Ministry of Information	-	2	Oct/Nov
Ministry of Internal Security	-	4	Oct/Nov
Ministry of Natural Resources and Environment	Department of Irrigation and Drainage	184	Jan-Oct
Ministry of Rural and Regional Development	-	1	Oct
Ministry of Science, Technology and Innovations	Sirim Bhd	4	Oct/Nov
Ministry of Transport	Marine Department Peninsular Malaysia	2	Oct

Note: This list was taken from the Government's website on Oct 31, 2006

Summary of 9MP Projects Ready For Tender

Ministry/Department	Govt-Funded Projects	PFI Projects	Total
Prime Minister's Department	68	3	71
Treasury	12	1	13
Ministry of Plantation Industries and Commodities	2	1	3
Ministry of Agriculture and Agro-based Industry	2	2	4
Ministry of Rural and Regional Development	7	0	7
Ministry of Natural Resources and Environment	8	4	12
Ministry of International Trade and Industry	2	0	2
Ministry of Works	65	1	66
Ministry of Transport	24	2	26
Ministry of Energy, Water and Communications	12	0	12
Ministry of Science, Technology and Innovation	10	0	10
Ministry of Education	140	357	497
Ministry of Health	27	0	27
Ministry of Culture, Arts and Heritage	5	1	6
Ministry of Youth and Sports	3	0	3
Ministry of Human Resources	0	1	1
Ministry of Information	2	8	10
Ministry of Higher Education	25	0	25
Ministry of Defence	21	17	38
Ministry of Home Affairs	2	3	5
Ministry of Internal Security	18	24	42
Grand Total	455	425	880

* Private Finance Initiative

Source: www.pmo.gov.my

Government has included penalties for contractors in negotiated tenders who fail to deliver their projects. He suggests that such contractors not be allowed to bid for new government projects for at least two years. While similar regulations exist currently, he admits that enforcement is weak.

In addition, says Roslan, irresponsible directors should be held accountable for their projects. The Government should take action against those who fail to complete their projects. He suggests that a clause be inserted in the agreement to hold the directors accountable if a project is abandoned.

tender abuse. Lim says this indifference is bred by years of tolerance by government authorities where misdeeds by these officers go unpunished despite being highlighted by the AG year after year.

In his 2005 report, Ambrin comments: 'I feel it is incumbent upon all heads of department, whether they read the Auditor-General's Report or not, to ensure that those whom they have entrusted to handle procurement matters strictly observe the rules and regulations issued by the Government pertaining to procurement.'

He urges the management to monitor their staff constantly to ensure that they do not try to bypass these rules and

Navaratnam says, 'The trouble is Malaysians are so gullible and complacent. Unless there's an awakening, the democratic process will continue to be abused. The public must be involved in monitoring government projects that go wrong.'

He suggests the establishment of civil action groups to scrutinise and examine projects using government funds at every level.

To ensure that enforcement of penalties is straightforward and simple, DAP's Lim says it is important to have the political will to execute these actions when projects go awry. 'Firstly, there must be the political will to punish the guilty parties who were awarded the projects. Secondly, the government project officers must be punished accordingly to promote efficiency and effectiveness. The task force needs to identify the officers in charge who had a role in the project failure.'

Some claim that despite the observations and recommendations by the AG on various issues, there are some civil servants who are indifferent to the report on

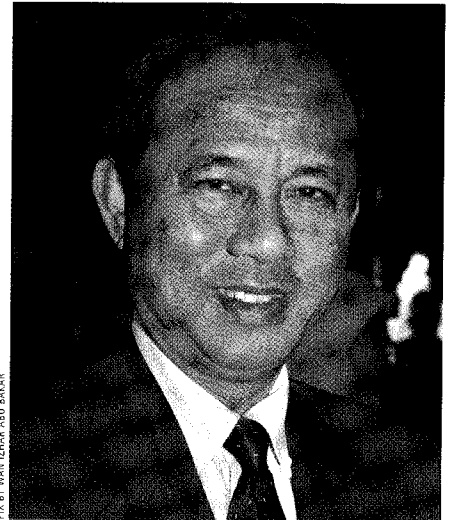


PHOTO BY WAN LEHAR ABDI BAKAR

Sulaiman: Good planning and design and proper monitoring the secret of successful projects

regulations because of personal interests. In order to prevent tender abuses, there must always be due diligence by the procurement staff and close monitoring by the bosses of the department, who should not compromise on their staff's integrity.

'From our limited studies of government procurement, we can conclude that possibilities exist for departments to adopt a closed door procurement policy through such dubious practices as splitting of work in order to avoid calling for tenders, or awarding contracts through direct negotiation for unjustified reasons and without Treasury approval,' says Ambrin.

He recommends that government departments avoid awarding service contracts, such as for maintenance or landscaping, with unreasonably long tenure. In the case of calling for price quotations from at least five companies for procurement below RM50,000, the relevant agencies must ensure that there is no mockery of the system, for example, when they invite quotations from different companies when in fact they are linked to each other.

Sadly, over the years, it has become the culture in the civil service to operate with wanton disregard of the rules and regulations and the values of integrity and propriety. However, this is by no means a lost cause. As DAP's Lim says, 'The time has come for a decisive and surgical strike against those who are corrupt, abuse their powers or have conflict of interest issues.'