



TRANSPARENCY INTERNATIONAL-PAKISTAN

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16th March, 2017

TL17/1603/4A

The Secretary,
Irrigation Department,
Government of Punjab,
Lahore.

Sub: Violation of Punjab Procurement Rules 2014, Executive Engineer, Western Bar Division, Thingi's Tender Notice for Re-modeling / Restoration Works.

Dear Sir,

This is with reference to Western Bar Division, Thingi's Tender Notice, published in daily "The Nation" on 16th March, 2017. It is observed that the advertisement is in violation of the Punjab PPRA 2014.

1. As per the advertisement, "The Tender Opening Committee reserves the right to accept/reject any or all tenders without assigning any reason thereof". However, it is not complying with, PPRA 2014 Rule No. 35, which requires that reason should be communicated to bidders. Therefore the advertisement is in violation of Rule No. 35 of PPRA Rules 2014. Stated as under;

35. Rejection of Bids :- (1) *the procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal.*
(2) *the procuring agency shall upon request communicate to any bidder, the grounds for its rejection of all bids or proposals, but shall not be required to justify those grounds.*

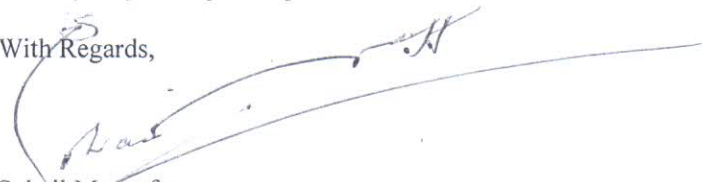
2. Also, "The Engineer In-charge reserves the right to drop/ reduce/ increase any work to any extent at any time without assigning any reason", whereas per rules, any change in tender conditions, specifications and quantity after the opening of the bid by procuring agency is not allowed under Rules. However according to PPRA 2014, Rule No. 59 (c) (iv), repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

59. Alternative methods of procurements.- *A procuring agency may utilize the following alternative methods of procurement of goods, services and works:*
(c) **direct contracting:** *a procuring agency shall only engage in direct contracting if any of the following conditions exist:*
(iv) *repeat orders not exceeding fifteen per cent of the original procurement;*

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No. 69, and with request to re-invite the tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,


Sohail Muzzafar
Chairman

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Government of Punjab, Lahore
2. Director General, NAB, Lahore.
3. Chief Secretary, Government of Punjab, Lahore.
4. Registrar, Lahore High Court, Lahore.
5. Managing Director, Punjab PRA, Lahore.

NOTICE INVITING TENDER

1. Sealed tenders as per item rate based on market rate system BI-Annual period MRS 2nd half 2016 (1st July 2016 to 31st December 2016) District Valuers are invited from the approved contractors of the Irrigation Department who have got their names enlisted/renewed in appropriate category for the current financial year.
2. Tenders on prescribed forms will be received by the Tender Opening committee on **04-04-2017 at 01:30 PM** and opened on same date at **02:00 PM** in office of Executive Engineer, Western Bar Division Thingl. The Tenders will be opened in presence of the contractors or their authorized representative who cares to remain present on the occasion.
3. The blank tender Form can be purchased from the office of the Executive Engineer, Western Bar Division Thingl at the non-refundable cost mentioned against the work during office hours upto **04-04-2017**. No tender form shall be sold on date of receipt of tenders. No tender except, those purchased from this office will be entertained/accepted.
4. The contractors/firms who desire to obtain tender forms shall have to furnish the original documents to the Executive Engineer, Western Bar Division Thingl, regarding enlistment/ renewal of their names in appropriate category with Irrigation Department and Pakistan Engineering Council for the current financial year 2016-2017, Govt. receipts for payment of professional tax, enlistment / renewal fee etc, or any other documents to his entire satisfaction along with copies of all documents duly attested by gazetted Officer. The Executive Engineer, Western Bar Division Thingl shall issue the tender form after verification of all documents.
5. The tenders must be delivered in person or through their authorized agents by intending bidders to the Tender Opening Committee in sealed envelope. No tender shall be accepted / received by post or through any other means.
6. The conditional, incomplete and overwritten tenders are liable to be rejected. The Tender Opening Committee reserves the right to accept / reject any or all tender without assigning any reason thereof.
7. Earnest Money @ 2% of the bid amount in the shape of deposit at call drawn in favor of the Executive Engineer, Western Bar Division, Thingl, from a scheduled bank must accompany the tender, failing which tender will not be entertained.
8. All the bidders should satisfy themselves about site location, conditions, prevalent at site and its accessibility because successful bidders will have to mobilize to site of work immediately after issuance of acceptance letter.
9. The successful bidder shall have to execute the agreement with the Executive Engineer, Western Bar Division, Thingl, within 07 days of issuance of acceptance letter. The mobilization period is restricted to 7 days, within which he has to deposit 5% performance security of bid amount from any schedule bank or cash with the office of the Executive Engineer, Western Bar Division, Thingl. He will have to furnish a list of the site Engineers, technical staff to be deployed by him on the project before start of work at site.
10. In case the lowest bid amount is less than 5% of the technically sanctioned amount, the lowest bidder shall have to deposit additional Performance Security as per Notification vide F.D No. RD (tech) FD, 1-2/83(vi) (p) dated. 06-04-2006.
11. The work will be executed according to the design/drawings, specifications approved by the competent authority.
12. The contractor will have to strictly abide by the approved construction schedule of work. In case of failure in this context, the contractor will be responsible to pay for the lost benefits in addition to damages to execute the work and additional cost for the work.
13. The Engineer in-charge reserves the rights to drop / reduce / increase any work to any extent at any time without assigning any reason.
14. The Payment will be made as per actual work done subject to availability of funds and clearance by the Departmental Committee/consultants/any other agency so nominated at any time
15. No interest shall be paid to the contractor on account of any delay in making payment by the department for the work done by him.
16. The contractor/firm shall furnish an undertaking with the tenders that he will arrange construction material from the approved quality and source mentioned by the Department
17. The contractor should quote rate against each item in figures as well as in words and rate quoted as percentage above or below will not be accepted and will be rejected.

S.No	Name of Work	Cost of work	Earnest money @2% of the bid price	Tender Fee (in Rs)	Completion Period	Estimate T.S No. and Date.
1	Remodeling / Restoration of Ghulam Wah flood Embankment from RD 3+240 to 45+689 Tail.	96569178/-	1911384/-	Rs.7000/-	30-06-2018	CE IRRG-MTN No. 3833 dated.07-03-2017

(IPL-2808)

Executive Engineer,
Western Bar Division, Thingl.