



TRANSPARENCY INTERNATIONAL-PAKISTAN

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6th July, 2018

TL18/0607/7A

Director General,
Environmental Protection Agency,
Muzaffarabad District,
Azad Kashmir.

**Sub: Violation of the AJ&K Public Procurement Rules 2017, Director General,
Environmental Protection Agency, Muzaffarabad's Tender Notice for Supply/
Installation of Equipment/ Machinery/ Chemicals.**

Dear Sir,

This is with reference to EPA, Muzaffarabad's Tender Notice, published in daily "Jang" on 5th July, 2018. It is observed, the advertisement is in violation of the AJK PPRA Rules 2017.

As per terms and condition in the advertisement, Quantity (of any tendered item) can be increased or decreased by the Procuring Agency. Any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However according to AJK PPRA Rules 2017, Rule No. 42 (c) (iv), repeat orders cannot exceed more than 15% of the original quantity. Stated as under:

42. Alternative methods of procurements.- A procuring agency may utilize the following alternative methods of procurement of goods, services and works, namely:-
(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 50, 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,

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan and High Court of Sindh
Trustee- TI-Pakistan

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

1. Prime Minister, Azad State of Jammu & Kashmir.
2. Chief Secretary, Azad State of Jammu & Kashmir.
3. Director General, NAB, Rawalpindi.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, AJK PPRA, Azad Kashmir.



TENDER NOTICE

Sealed Tenders under Rule 36 (a) and 36(b) of Azad Jammu and Kashmir Public Procurement Rules 2017 i.e. 'Single Stage - One Envelope Procedure' & 'Single Stage - Two Envelopes Procedure' are invited for AJ&K Environmental Protection Agency (AJK-EPA) from manufacturers/authorized dealers/suppliers/importers registered with Income Tax Departments of GoP/GoAJK for the Supply/installation of below mentioned Equipment/Machinery/Chemicals on F.O.R Muzaffarabad basis for the establishment of 'Environmental Monitoring System' in Environmental Protection Agency, Azad Jammu & Kashmir.

| LOT No | Name of Items | Quantity | Specification | Procurement method |
|--------|---|------------------------------------|---|---|
| I | Ambient Air Quality Station - Mounted on High Roof & Wide Body Diesel Engine Toyota Hiace or equivalent, Model 2018. Air Condition fitted (independent register) OR Mini Diesel Truck (Hino or equivalent) Air Condition fitted, Model 2018 - as per specifications given in the Tender documents. & Indoor Air Quality Testing Instruments (Lab) | 01 | As per tender document requirement | Single stage - Two Envelope bidding procedure Rule 36 (b) of AJK-PPRA Rules, 2017 |
| II | Industrial Gaseous & Vehicular Emissions Measuring Equipment | 01 | -do- | |
| III | Water and Wastewater Laboratory Equipment and Chemicals | 01 | -do- | |
| IV | Car 1300CC (In approximate) as Enforcement Vehicle | 02 1x Mirpur 1x Muzaffarabad | 1.3L, Petrol, 5 Speed Manual, ABS Break (GLI M/T or equivalent) | Single stage - One Envelope bidding procedure Rule 36 (a) of AJK-PPRA Rules, 2017 |

Terms & Conditions:-

1. Single Stage - Two Envelopes Procedure will be followed (Lot-I to Lot-III), both financial & technical proposals along with brochures/technical data of the procuring item should be provided in separate envelopes. Bids/Proposals have to be submitted as per the format and procedure given in the Bidding Documents. However, the envelopes shall be marked as "FINANCIAL PROPOSAL" and "TECHNICAL PROPOSAL" indicating LOT Nos. in bold and legible letter to avoid confusion. However for LOT No. IV (Car) proposal should be submitted under 'Single Stage - One Envelope procedure' in terms of Rule 36 (a) of AJK Public Procurement Rules, 2017 - one single envelope containing separately, Financial Proposal and Technical Proposal (if any). For items in LOT I to III, only the TECHNICAL PROPOSALS will be opened on the same day and after evaluation, financial offers of only those firms will be opened which shall be declared responsive by the Technical Committee fulfilling the eligibility criteria and other requisite conditions. While Financial offers will be opened in the presence of the representatives of qualified firms on given date and time that shall be conveyed to concerned well in advance.
2. Call deposit is mandatory and should be in the shape of Call Deposit/Bank Guarantee for an amount equal to 2% of the total offered or quoted value in favor of DDO, Environmental Protection Agency and should necessarily be attached with the Financial Proposal and failure to which shall result in rejection of the bid.
3. Quantity (of any tendered item) can be increased or decreased by the Procuring Agency. Moreover, Procuring Agency will accept items LOT-WISE; preference will be given to vendor who quotes items, at least, for one complete LOT. Partial proposals that don't complete accessories for at least one Lot shall not be entertained. However, in case any issue of warranty/guarantee or after sale service arises in quoting full LOT (being of different suppliers/companies, proposals may be accepted in piecemeal to ensure proper warranty and after sale service by the authorized dealer and in that case procuring Agency will record reasons.
4. The supplier will invariably provide one year warranty/guarantee of spare and consumables. The supplier shall warrant that all goods/ equipments/ chemicals/ items quoted/supplied are according to specifications given in the bidding document. In case of any deviation in quoted/supplied goods/ equipments/ chemicals/items (where applicable) it will be replaced by the supplier at his own cost in one year warranty/guarantee period.
5. Financial guarantee from insurance companies shall not be accepted.
6. The rates shall remain firm up to the delivery/installation of the quoted items.
7. Pre delivery inspection shall be carried out before taking over of the quoted items.
8. The successful bidders shall be bound to supply the ordered items within 70 days from the date of issuance of purchase order.
9. Certificates of General Sales Tax Number and National Tax Number of Suppliers/Firms shall be supplied with the bids/quotations.
10. Rates shall be quoted on F.O.R Muzaffarabad (A.J&K) basis.
11. Equipment etc. shall be brand new, latest model in accordance with approved quotation and as per specifications specified in the bidding documents issued by EPA.
12. Incomplete and conditional offers shall not be entertained.
13. Brochures containing Technical Data shall be furnished along with the quotations.
14. The interested bidders may obtain the Bidding Documents that are available immediately after date of application of this tender on submission of application in writing or through email on the addresses given below and upon payment of a non-refundable fee of Rs. 2000/- in the shape of Pay Order/Demand Draft in favor of DDO EPA-AJK.
15. The Bids must reach to the office of undersigned at least on 06.08.2018 at 11:30 A.M. that shall be opened on the same day at 12:00 P.M. at House No. D-4, Street # 12, Opposite Model Science College, Upper Chatter, Muzaffarabad in the presence of bidders or their authorized representatives, who opt to attend. A pre-bidding meeting of prospective bidders will be held at EPA-AJK Office, Muzaffarabad at 11:00 A.M. on 17 July, 2018 for clarifications, if any.

SPECIAL TERMS & CONDITIONS:

- a) In case of foreign bidders, bids documents will be issued/accepted through their approved representatives/agents or distributors in Pakistan holding Authority Letter from their Principals for obtaining the documents and participating in the bidding process.
- b) Foreign bidders and manufactures of goods for which local bidders quote must possess sufficient experience in performance and marketing. The Successful bidders shall be required to submit a performance bond equal to 10% of the contract value for stipulated timeframe after being declared successful bidder for award of supply contract.
- c) The authority can waive off in the public interest any of the conditions stipulated in the tenders and reserves the right to accept or reject any quotation/proposal in part or full by assigning reasons thereof.

Addresses/Contacts

Postal Address: Environmental Protection Agency, Street # 12, H-No. D-4, Upper Chatter, (Opposite Model Science College) Muzaffarabad, AJ&K.
 Email Address: dgepa.ajk@gmail.com
 Telephone: +92-5822-921082
 Fax: +92-5822-921686

(Raja Muhammad Razaque)

Director General, EPA AJK

AJK 62-D