



GOVERNMENT OF KHYBER PAKHTUNKHWA
Pakhtunkhwa Highways Authority (PKHA)

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Attach Department Complex, Near Treasure Office, Khyber Road Peshawar

No. 1-PKHA/ 2134

Date 06 /07/2018

To

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan and High Court of Sindh
Trustee – Transparency International – Pakistan
4-C, Mezzanine Floor, Khayaban-e-itehad, Phase-VII,
Defence Housing Authority, Karachi.

Subject: - **VIOLATION OF KHYBER PAKHTUNKHWA PUBLIC PROCUREMENT REGULATORY AUTHORITY ACT 2012, DIRECTOR CONSTRUCTION, PAKHTUNKHWA HIGHWAYS AUTHORITY (PKHA), PESHAWAR'S TENDER NOTICE FOR CONSTRUCTION, REHABILITATION AND IMPROVEMENT OF ROADS.**

Reference: Your letter No.TL18/2706/8A dated 27/06/2018.

With reference to the letter under reference, it is submitted that the cost of tender documents mentioned in the NIT is in line with Section - 19 of the KPPRA Act -2012 and no mis-procurement is involved in the said NIT. It is to inform you that the cost of tender documents used to be charged @ 0.05% of the bid amount as per Government Notification No. SOG / C&W / 11-129 / CONTRACTORS / VOL-IV / 2010 dated 8th July 2011, however, in light of the Public Procurement Regulatory Authority Act 2012, the said fee has been reduced and restricted to the printing charges of the relevant documents.

It is worthwhile to mention here that in a Highway's project, the bidding documents include but are not limited to the following:

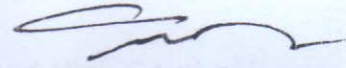
S#	DESCRIPTION OF DOCUMENTS
1	Tender Drawings consisting of road plan and profile on A3 size sheet in booklet form.
2	Construction Drawings consisting of Road Long Section / X-Sections and Structural drawings of culverts, Retaining walls etc. on A3 size in booklet format
3	Bill of Quantities
4	Technical Specification for each Payable items comprising of : Material Requirements, Construction Requirements, details of equipment to be used, testing and quality control and mode of measurement & Payments
5	Contract Documents Comprising of : Invitation of Bid Instruction to Bidder Form of contract General Condition of Contract(GCC) Particular condition of contract(PCC) Special Stipulations, Supplementary conditions of contract(SCC) and Rate analysis etc.

The above documents also include many A3 size color sheets thereby increasing printing charges of the bidding documents mentioned in the NIT. It is further added that the present fee of bidding documents is approximately one-fifth of those charged in pursuance of previous Govt notification before enactment of Public Procurement Regulatory Authority Act 2012.

In view of the above explanation, it is clear that the actual cost of tender / bid document for the works mentioned in the NIT is not less than the amount quoted in the NIT and its cost is reasonable as well as in line with Section-19 of the KPPRA Act-2012 and hence, no corrigendum / retendering is needed.

Since no violation of the said law is involved, therefore, the observation communicated vide your letter under reference may kindly be withdrawn.

Thanking you in anticipation and looking forward for your kind advice in future in the best public interest please.



DIRECTOR CONSTRUCTION

Copy forwarded to:

1. PSO to Chief Minister, Khyber Pakhtunkhwa for information please.
2. PSO to Chief Secretary, Khyber Pakhtunkhwa for information please.
3. Director General NAB, Khyber Pakhtunkhwa for information please.
4. Registrar, Peshawar High Court for information please.
5. Managing Director-PKHA, Peshawar for information please.
6. Deputy Director (HQ) PKHA Peshawar for information and future guidance.



DIRECTOR CONSTRUCTION