



10th July, 2019

TL19/1007/9A

Director General,
Provincial Housing Authority,
ATI Campus, Jamrud Road,
Peshawar.
Ph. No. 091- 9224298

Sub: Violation of Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, Director General, Provincial Housing Authority (PHA), Peshawar's Tender Notice for the Launching for Housing Scheme for Govt.

This is with reference to PHA, Peshawar's Tender Notice published in daily "Mashriq" on 7th July, 2019. It is observed that the advertisement is in violation of the KPK PPRA Act 2012.

As per advertisements, the Tender form fee is given as PRs 10,000/-, which appears costly in light of the Procurement Act and is violation of KPK PPRA Act 2012. According to the Act, Section No. 19, in the 'Public Accessibility' Clause, the tender document fee shall not exceed printing cost. Stated as under;

19. Public Accessibility. —This Act, the rules made thereunder, guidelines, forms, bidding documents and/or decisions of Government or procuring entity relating to procurement shall be placed on a web-site of the Authority in addition to the website of the procuring entity or the Government, as the case may be, and which will also provide copies of these documents to the public at a fee not exceeding the cost of printing/reproduction of the documents.

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 54, 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.

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

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

1. Chief Minister, Khyber Pakhtunkhwa.
2. Director General, NAB, Khyber Pakhtunkhwa.
3. Chief Secretary, Khyber Pakhtunkhwa.
4. Registrar, Peshawar High Court.
5. Managing Director, KPPPRA, Peshawar.


**GOVERNMENT OF KHYBER
PAKHTUNKHWA PROVINCIAL
HOUSING AUTHORITY (PHA)**
**NOTICE INVITING TENDER
(Single Stage Two Envelop E-Bidding
Procedure)**

The Provincial Housing Authority (PHA) ATI Campus University Road Peshawar invites electronic Bids from eligible firms/bidders in accordance with KPPRA procurement rules on single stage two envelop e-bidding procedure for the following works. The bidders should be registered with Pakistan Engineering Council for the year 2019-20 in relevant category and field of specialization & enlisted with PHA for the year 2019-20 and should have adequate Financial soundness, similar works experience, personnel capabilities, equipment's and others requirements as included ITB.

Name of Work	Required Category of PEC	Estimated Cost in (Rs Million)	Bid Security & Stamp Duty	Period of Completion (Months)	Last date of submission and time	Date of opening of Technical Bid	Date of opening of Financial Bid
Launching of Housing Scheme for Govt Servants & C2 & General Public at Jalozai District Newsheera, KPK Sub-Head: 1. BLOCK A, B, C, D & E MAIN ROADS, STREETS, 'ROUNDABOUT, FOOTPATH AND CENTER MEDIA,	Category Above.	973.263 Millions	2% of Estimated Cost & Stamp Duty (Rs.18750/-)	As per Work Order	26-07-2019 At 11.00 hours	On the same day At 11.30 hours	Date of opening of Financial Bid will be announced after the approval of Technical Bids from the Competent Authority

BOQ & Instructions to bidders can be downloaded one day prior to the opening date from Provincial Housing Authority website: (www.housingkp.gov.pk) complete set of Bid solicitation documents may be obtained at a cost of Rupees 10000/-, 15 days prior to submission of bids by eligible bidders from office of the M/S LALAZAR CONSULTANTS, Suit 306, Block-A 3rd Floor, City Tower Plaza, University Road, Peshawar. Ph:091-5853753.

INSTRUCTIONS TO BIDDERS (SINGLE STAGE TWO ENVELOP E-BIDDING SYSTEM)

3. Technical proposal should accompany the following:
 - a. Valid Enlistment order of Provincial Housing Authority Khyber Pakhtunkhwa. (photocopy).
 - b. Renewal of Registration with PHA of CFY 2019-20 (photocopy).
 - c. National Identity Card of owners (CNIC) photocopy
 - d. Valid Pakistan Engineering Council registration in relevant category copy for current calendar year.
 - e. Form-H of the Company/Firm.
 - f. Documents showing General Capabilities, Financial Soundness, General And Relevant Experience Record, Personal Capabilities, Equipment Capabilities Income Tax, NTN & Professional Income Certificate etc.
 - g. Any other documents to support the Technical Bid.
 4. Technical Evaluation will be carried out with pass fail threshold. Passing criteria includes PEC Registration, Enlistment with PHA, Tax Payer proof, Relevant experience in past 05 years, Performance, Technical Personal, Required Equipment's, Financial status, Auditors Report, Managerial Capabilities, Litigation Status etc is mandatory.
 5. The bid security shall be kept sealed in the financial proposal. The bidder shall in addition, place an affidavit in the technical proposal stating that a bid security amounting to 2% & Additional Security equal to 5% of the Estimated Cost, (if required) without indicating the figure in the letter, has been placed in the financial proposal or bid. Otherwise the technical proposal will be considered non-responsive and will be returned to the bidder after being examined by the procurement committee.
 6. Before submission of technical bid, all bidders must carefully go through the Bidding Data; relevant Appendices/Annexures. Any clarifications sought, be submitted in writing well before pre-bid meeting date.
 7. A pre-bid meeting will be held in the office of Director General (PHA) on 22-07-2019 at 11:00 AM for clarification of bidding documents/evaluation criteria or other related information (if any) regarding the project site.
 8. All the bidding process will be through E-Bidding System. The bidders are required to send their bids. (Technical & Financial) through courier in original and photocopy in separate envelopes clearly marked as Original and photocopy. Both these envelopes shall be put in one sealed envelope and addressed Director General Provincial Housing Authority (PHA) ATI Campus University Road Peshawar and shall reach the concerned office before closing date and time.
 9. If photocopy of any bid differs from its original, then the bid will be declared as non-responsive.
 10. All bidders are required to be registered with Khyber Pakhtunkhwa Revenue Authority, established under the Khyber Pakhtunkhwa Finance Act, 2013, otherwise the bidder will not be entitled to participate in the tendering process.
 11. Technical bids will be opened after 30 minutes of closing time in the presence of bidders/their Representatives
12. Financial proposal should accompany the following:
 - a. Bid Security of 2% of the Estimated Cost along with stamp duty of 18750/- in shape of call deposit (original) in the name of Director General Provincial Housing Authority (PHA) enclosed in Financial Bid.
 - b. The Contractors/Bidders who quote their bids/rates more than 10% below the Engineer's Estimate shall an Additional Security in the form of call deposit equal to 5% of the Estimated Cost. After commencement of work by the successful bidder 5% call deposit will be replaced with a bank guarantee of the same amount from the schedule bank.
 - c. The additional security shall be released to the contractor in four installments i.e. 25% to be released after completing 25% of the project, 50% to be released upon 50% completion, 75% to be released upon 75% completion and the remaining amount to be released after completion of project. In case the bidders quote more than 10% below the estimated cost and the bid is not accompanied by the additional security, then the bid shall be considered as non-responsive and the 2nd lowest bidder and so on will be considered accordingly.
 - d. Call deposit of any schedule Bank shall be acceptable.
 13. Financial bids will be opened after approval of Technical Evaluation.
 14. If the evaluated estimated costs of two or more than two bidders equal than the successful will be declared through open draw.
 15. The Bid Security of 1st, 2nd & 3rd lowest bidders for the specified work, will be retained by the procuring entity till approval of bid.
 16. The bidding shall be done " ABOVE / BELOW " system on Engineer Estimate (both on MRS as well as non MRS items), based on the MRS-2017 (for MRS items).
 17. Only up to two decimal places or digits (0.00) will be considered for evaluation of the quoted bid.
 18. Bids validity is 90 Days.
 19. Time allowed for the completion of the work as specified in the NIT shall start from the issuance of LOA.
 20. Successful bidder should sign the formal agreement with the Procuring Entity within 28 days from the date of furnishing of acceptable Performance Security & The successful bidder shall furnish to the Procuring Entity a Performance Security in the form and the amount stipulated in the Bidding Data and the Conditions Contract plus additional security for unbalanced bids in accordance with Clause IB.28.4 within a period of 28 days after the receipt of Letter of Acceptance.
 21. All the information and documents provided by the bidder must be based on facts beyond any doubt. Any misrepresentation or false statement would make a ground for rejection of the bid during analysis/scrutinizing or evaluation of the proposals. Any fake documents or misrepresentation detected during the currency abstract, will render the firm to be black listed and would be reported to the PEC for cancellation of their registration/license.
 22. The Procuring Entity has the authority to reject any bid or all the bids assigning cogent reason.

**Director General, Provincial Housing Authority
PHA ATI Campus University Road Ph:091 9224298**

**INF(P)
3070/19**