



GOVERNMENT OF KHYBER PAKHTUNKHWA
Pakhtunkhwa Highways Authority (PKHA)

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Attach Department Complex, Near Treasure Office, Khyber Road Peshawar

No. 1-PKHA/1911

Date 10 /11/2017

To

The Chairman
Transparency International Pakistan
5-C, 2nd Floor, Khayaban-e-ittihad, Phase-VII,
Defence Housing Authority, Karachi.

Subject: - VIOLEATION OF KHYBER PAKHTUNKHWA PUBLIC PROCUREMENT REGULATORY AUTHORITY ACT 2012, DIRECTOR CONSTRUCTION, PAKHTUNKHWA HIGHWAYS AUTHORITY (PKHA), PESHAWAR'S TENDER NOTICE FOR DUALIZATION & IMPROVEMENT WORKS.

Reference: Your letter No.TL17/0211/2A dated 19/10/2017.

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 document 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.

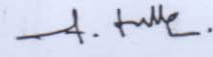
The above documents also include many A3 size color sheets thereby increasing printing charges of the bidding documents mentioned in the NIT. It is further added that the present fee of bidding documents is approximately one-fifth of those charged in pursuance of previous Govt notification before enactment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

In view of the above explanation, it is clear that the cost of Tender document for the respective work mentioned in the NIT are reasonable and in line with Section-19 of the KPPRA Act-2012 and hence no corrigendum 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.

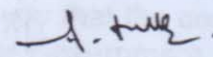
The Chairman
Transparency and Accountability Cell
5-C, 2nd Floor, Khyber Pakhtunkhwa, Peshawar
Defence Housing Authority, Peshawar



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. Managing Director-KPPPRA, Peshawar for information please
7. Deputy Director (HQ) PKHA Peshawar for information and future guidance.



DIRECTOR CONSTRUCTION

It is worthwhile to mention here that in a Highway project, the bidding document includes but are not limited to the following:

1. Bill of Materials
2. Technical Specification for each Package its its comprising of Materials Requirements, Construction Requirements, details of equipment to be used, testing and quality control, work of maintenance & spare parts
3. Contract Documents comprising of:
 - Invitation of Bid
 - Instruction to Bids
 - Form of contract
 - General Conditions of Contract (GCC)
 - Particular conditions of contract (PCO)
 - Special Specifications
 - Special conditions of contract (SCC) and Rate analysis etc.

The above documents also include many A3 size color sheets thereby incurring printing charges of the bidding documents mentioned in the NIT. The further addition of the present fee of bidding documents of approximately 10% of the cost charged in the previous Govt tenders is also not justified.

In view of the above explanation it is clear that the cost of Tender documents of the respective work mentioned in the NIT is reasonable and in line with Section 13 of the KPPPRA Act-2017 and hence no concession is needed.