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11th June, 2019

TL19/1106/1A

Vice Chancellor,
Fata University,
Tribal Sub Division Darra,
Kohat, Khyber Pakhtunkhwa.

**Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services
Rules 2014, Deputy Director Works, Fata University, Kohat's Tender Notice for
Rehabilitation and Renovation Works.**

This is with reference to Fata University, Kohat's Tender Notice, published in daily "Aaj" on 9th June, 2019. It is observed that the advertisement is in violation of the KPPPRA Rules 2014.

1. As per terms and condition No. 11 in the advertisement, "The Scope of work may increase/ decrease subject to the availability of funds", whereas any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However, according to KPPPRA Rules 2014, No.10, repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

10. Alternate methods for procurement of goods.— A procurement entity may use the following alternative methods for procurement of goods, namely:

(c) a procurement entity shall only engage in alternate method if the following conditions exist, namely:

(i) repeat orders within a period of six months:

Provided that it does not exceed fifteen percent of the original contract value;

2. As per terms and condition No. 2 in the advertisement, the Procurement Agency may reject any or all tenders/ bids at any time prior to the acceptance of tender/bid without any reason". It is not complying with KPPPRA Rules 2014, Rule No.47 (1), which requires that reason should be communicated to bidders. Stated as under;

47. 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. The procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds.

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.



FATA UNIVERSITY

Tribal Sub Division Darra, Kohat

Web site: www.fu.edu.pk

TENDER NOTICE

(Single Stage Single Envelope Procedure)

FATA University invites sealed tenders / bids from eligible Firms/Contractors enlisted with respective departments in accordance with KPPRA/PPRA Procurement Rules on Single Stage Single Envelope procedure for the following renovation works under the "Project Management Unit" for the establishment of the FATA University. The applicant firm must be registered with Pakistan Engineering Council (PEC) in the relevant category & field of specialization, for the year 2018-19, having relevant experience, personal capabilities and financial soundness, required equipment and others as included in ITB.

S.No	Title of Work	PEC Required category	Estimated CostRs.(M)	Duration	Last date for submission of bids
1	Rehabilitation & Renovation work(student&Bachelor Hostels & Staff Residence)	C-6 & Above	13.809	As per Work Order	June 27,2019

Terms and conditions are as under:

1. The interested firms are required to submit their bids both (original & duplicate) in separate envelopes to the office of the under signed latest by **June 27, 2019 till 11:00 A.M.** The bids will be opened on the same day at **11:30 A.M.** in the presence of bidders/representatives in the FATA University, TSD Darra, Kohat. 2. The Procurement Agency may reject any or all the tenders / bids at any time prior to the acceptance of Tender / bid without any reasons. 3. If the lowest bid costs of two or more than two bidders are the same then the successful bid will be decided through toss in the presence of bidders. 4. The Tender Form, BOQ etc. can be obtained from the office of the **Deputy Director Works FATA University, TSD Darra Kohat** on any working day during the office hours on written request on proper letter head along with company/firm profile and Bank Draft of **Rs.3,000/-** in favor of the **Vice Chancellor FATA University** as Tender document's cost (non-refundable). 5. Sealed bids must accompanied by a bid security (Earnest Money), **2% of the Estimated Tender Cost**, in the form of Call Deposit Receipt (CDR) in original from scheduled bank of Pakistan in favor of the Vice Chancellor, FATA University. 6. Documents will not be issued to any firm on the day of opening. 7. Further detailed Terms and Conditions are given in the Tender Documents. 8. The bidder who quotes more than 10% below on the estimated cost is required to submit 8% additional security in the shape of Call Deposit Receipt (CDR) with financial bid, otherwise his bid will be considered as non responsive and the 2nd lowest bidder will be considered accordingly. 9. Bidding shall be done on "**% Above/Below/at Par on Scheduled Items and Below/at Par on Non-scheduled Items**". 10. All taxes will be deducted from the bills of Firms/contractors at prescribed rates notified by the Federal and Provincial Government from time to time. 11. The scope of work may increase/decrease subject to the availability of funds. 12. All the bids will be received through registered Mail/Courier service. By hand/faxed or on by other source delivery of the said documents as well as documents received after due date will not be entertained. 13. Subletting of the project or any part is strictly prohibited. 14. Further information can be obtained from the undersigned on any working day during office hours.

Deputy Director Works

Phone: 091-5885510