



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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15th February, 2018

TL18/1502/1A

Director General,
Peshawar Development Authority (PDA),
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, Deputy Director BRT (Reach-I), Directorate of BRT (Reach-I), Peshawar Development Authority (PDA), Peshawar's E-Tender Notice for Design and Construction of Interchanges on Peshawar Ring Road.

Dear Sir,

This is with reference to PDA, Peshawar's E-Tender Notice published in daily "The News" on 14th February, 2018. It is observed that the advertisement is in violation of the KPK PPRA Act 2012.

As per advertisement, the bid document fee is given as PRs 20,000/-, 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.

With Regards,


Sohail Muzaffar
Chairman

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, KPPRA, Peshawar.



PESHAWAR DEVELOPMENT AUTHORITY NOTICE INVITING E. TENDERS

Sealed bids on the basis of "single stage two envelopes system" under Rule 14 (2)(b) of KPPRA Rules 2014, are hereby invited from enlisted firms/contractors registered with Pakistan Engineering Council (PEC) for the year 2017-18 having sufficient experience in the field of work given below on percentage above/below on the BOQ/Engineer cost estimate for the following work.

S. No	Name of Work	Required Category of PEC	Estimated Cost (Rs. in Million)	Bid Security / Earnest Money	Bidding Document Fee	Date & Time of submission of bids (Technical & Financial Proposals)	Date & Time of Opening (Technical Proposals bids)	Time Limit
1	Major Head: Design & Construction of Interchanges on Peshawar Ring Road. Sub Head: Construction of Pir Zakon Flyover Level-II (Ring Road - GT Road Intersection) Peshawar	C-I & above	1330.27 Millions	2% of the bid cost	Rs. 20,000/-	02/03/2018 Upto 11:30 AM	02/03/2018 Upto 02:00 P.M	3 Months

Terms & Conditions:

- (1) Tender Bidding documents for work will be issued to only those construction firms/contractor who fulfil the eligibility criteria. Tender Bidding documents including Tender Form and Bill of Quantity (BOQ) can be downloaded upto 1 day prior to the opening date from PDA website: www.pda.gkp.pk. (2) 2% (two percent) earnest money bid security of the quoted bid cost must be accomplished in shape of Bank Guarantee or Call Deposit or Pay Order in name of the Director General, Peshawar Development Authority Peshawar from scheduled banks in accordance with the Rule 20(2) of KPPRA Rules 2014 and subsequent amendments (if any). An affidavit to the effect stating that 2% bid security/earnest money has been placed in Financial Proposals/Bids must be attached in the Technical Proposals. (3) The submission of Bids by the contractors implies that they are fully conversant with the site of work, scope of work and terms conditions laid down in the tender. Bid documents. (4) The eligible contractor/firms are required to submit their Bids for the work in separate sealed envelopes i.e. one envelope containing "Technical Proposals" of the contractor/firm clearly marked as "Technical Bid" accompanied with respective bidding documents fee while the second envelope containing Financial proposals/bid price clearly marked as "Financial Proposal". Both Technical and Financial proposals/ Bids will be placed in single sealed envelope and addressed & send to the undersigned through courier service. The bids received late shall not be entertained. (5) Technical proposal must be numbered & a table of contents inserted at beginning of the proposal showing the contents of the proposal according to the numbered pages. All pages of the Bids shall be signed by the bidder & seal be affixed along with the signature/initials. (6) Technical Proposals/Bids will be opened in the office of undersigned in the presence of contractors/their representatives who choose to attend on the day and time mentioned above. In case if Technical Bids/Proposals are not opened on the above mentioned date due to unforeseen reasons these shall be opened on the next working date at the same place & time. (7) The "Technical Proposals" of the firms/contractors will be evaluated in accordance with laid down evaluation criteria based on the following documents to be provided in the Bidding Document meant for submission of Technical Proposals. (i) Detail of projects of similar nature related to the above mentioned work undertaken by the firm in the last 5-years (in hand / completed) supported by documentary evidence such as work orders / completion reports in original or attested copies. (ii) Financial status: a) 3 years bank statement; b) Bank credit line letter; c) Audit report for the last three (3) years. (iii) The Income Tax Certificate (NTN) from the concerned Department showing Tax Payments regarding works/projects executed during last 3-years. (iv) Details of Technical Staff for the proposed project duly supported by attested credentials. (v) A certificate that there is no dispute of the firm with any department involved litigation/arbitration on the left over incomplete projects. (vi) An affidavit is required to be provided with the technical bid regarding attachment of the bid security in the shape of Bank Guarantee or Call Deposit with the Financial Bid. (vii) The firms/contractors shall have their own asphalt plant, concrete batching plant, concrete pumps, straight rotary boring machine, paver machine and other related machinery. (viii) The contractors shall submit a construction schedule to complete the project within stipulated time frame. (8) Only up to two decimal digits (0.00) will be considered for evaluation of the quoted bid. If any document submitted along with bid documents found false/bogus the registration of the contractor/firm shall stand cancelled/back-sted. Conditional/incomplete bids shall not be acceptable. (9) The "Financial Bids"/Proposals of only technically responsive qualified bidders will be opened after evaluation of Technical Bids in the presence of bidders/their representative (who may like to attend) in the office of the undersigned by the Tender Opening Committee of PDA on the date & time to be notified later on whereas the "Financial Bids" of technically non-responsive bidders shall be returned unopened to the respective contractors. (10) The contractors/bidders who quote their bids/rates more than 10% below the Engineer's estimate shall submit an Additional Security in the form of call deposit equal to 8% of the estimated cost. After commencement of work by the successful bidder 8% call deposit should be replaced with a bank guarantee of the same amount from the scheduled bank in accordance with the notification KPPRA/M&E/Estt/1-5/2016 dated 24/05/2016. (11) Any item not reflected in the BOQ and required at site shall be paid in accordance with MRS-2017/prevaling market rates with the approval of the competent authority. (12) All the Government taxes (Federal, Provincial & any other) will be deducted as per prevailing Government policy. (13) Incomplete/disfiguring/overwriting/by hand/delayed bids shall be considered non-responsive. (14) The procuring entity may reject all bids or any proposal/Bid at any time prior to the acceptance of a bid or proposals. The procuring entity shall upon request communicate to any contractor who submitted a bid or proposal the grounds for rejection or of all bids or proposals as per KPPRA 47(1). (15) Other terms & conditions pertaining to the work can be seen in the office of the undersigned at any working day during office hours. (16) Validity of bid will be 90-days from date of opening of the tender.

**DY: DIRECTOR BRT (REACH-II) Directorate of BRT (REACH-I)
PDA PESHAWAR**

Say No to Corruption