



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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16th December, 2015

TL15/1612/12A

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

Sub: Violation of Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012,
Deputy Director (Buildings), Peshawar Development Authority (PDA), Peshawar's E-Tender
Notice for Safe City Project.

Dear Sir,

This is with reference to PDA, Peshawar's E-Tender Notice published in daily "Mashriq" on 11th December. It is observed that the advertisement is in violation of the KPK Public Procurement Regulatory Authority Act 2012.

As per advertisement, the Tender form fee is given as PRs 110000/-, 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. The Section is quoted below for reference:

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, and with request to re-invite the e-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, KPPPRA, Peshawar.



PESHAWAR DEVELOPMENT AUTHORITY

(Notice Inviting E.Tenders)

Sealed bids on the basis of "single stage two envelopes system" Under Rule 6(2)(b) of KAPRA Rules 2014, are hereby invited from the eligible contractors /firms registered with Pakistan Engineering Council (PEC) in relevant categories and having valid Registration for the year 2015 on Item Rate Basis for Part-A & percentage above/below on MRS items for Part-B of the BOQ for the following work:

S#	Name of Work	Estimated Cost (Rs. In million)	2% Earnest Money (Rs. in million)	Tender Form Fee Rs.	Date of submission of financial & Technical bids	Date & time of Opening of Technical Bids	Time Limit
1	Safe City Project Hayatabad Peshawar	216.00	As per Bid Cost	110000/-	28/12/2015 Till 11:00 AM	28/12/2015 Till 11:30 AM	As per Work Order

Terms & Conditions

- Tender form /bill of quantities (BOQ) can be downloaded up to 1-day before opening of tenders from PDA Website, www.pda.gp.pk
- 2% (two percent) earnest money of the quoted bid cost must be accompanied in shape of Call Deposit or pay order in name of the Director General, Peshawar Development Authority Peshawar from schedule banks.
- The eligible contractors /firms are required to submit separate sealed envelopes i.e one envelope containing technical information of the contractor /firm clearly marked as "Technical Bid accompanied with Tender Form fee while the second envelope containing bid price, clearly marked as Financial Bid. Both the Technical and Financial bids be placed in one single sealed envelope and address to the undersigned.
- The "Technical Bids" of the Firms/contractors will be evaluated in accordance with evaluation criteria comprising of the following documents:-
 - Detail of projects of similar nature under taken by the firm in the last 5-years (in hand /completed) supported by documentary evidence such as work order/ completion report.
 - Financial status, Bank Balance & Certificate from the schedule bank for the last 3-years.
 - The Income Tax certificate/NTN from the concerned Department showing Tax payments regarding works /projects executed during last 5-years.
 - Enlistment certificates with other Departments for the current financial years.
 - Detailed of Required Tool & Plant (T&P), machinery available with the contractor /firm.
 - Detailed of technical staff for the proposed project, dully supported by attested credentials.
 - A certificate that there is no dispute of the firm with any department (litigation /arbitration) on the left over /incomplete projects.
 - An affidavit is required to be provided in the technical bid regarding attachment of the Call Deposit in the Financial Bid.
- Bidding shall be carried out on "Item Rate System" for Part-A (Electronics /Electrical & Software) and percentage above /below on MRS items for Part-B of the BOQ, wherein the bidders are required to fill their own rates /amount in the blank columns against each item of the BOQ in figures and words for Part-A. In case no rate is quoted against any item of Part-A, the same will be executed at free of cost by the contractor as per specification & drawings. Furthermore, two decimal digits will be considered for evaluation of the quoted bid.
- The "Financial bids" of only technically qualified bidders will be opened in the presence of bidders /their representative who may like to attend, in the office of the undersigned under the supervision of the Tender Opening Committee. Whereas the financial bids of technically non responsive bidders shall be returned unopened to the respective contractor.
- The person whose name exists in form-H /Partnership Deed will only be entitled to signed the tender, BOQ and all other contract documents. In case, it is established that any contractor found guilty, the competent Authority may take appropriate action against the firm /contractor which may lead to disqualification /blacklisting of the firm and the bid will stand cancelled.
- As per Provincial Govt: Notification No.SO(FR)/ FD/9-7/ 2011 / Vol-1-11, dated 05/11/2014, in case of quoting bid up to 10% below on the Engineer Estimate, the bidder will furnish an additional Security with the bid in shape of Call Deposit /Bank Guarantee, further, in lieu of bank guarantee /Call Deposit, an equivalent insurance coverage of a company having at least AA rating of PACRA/JCR shall also be acceptable from contractors /bidders subject to verifications by the schedule bank, whereas the bank guarantee will be obtained from the contractors/ bidders quoting more than 10% below on Engineer Estimate. These guarantees will be discharged on expiry of the defect liability period of the contract which is 12-months from issuance of successful final completion report of the entire project.
- Any item not reflected in the BOQ and required at site, shall be paid in accordance with MRS- 2015, subject to prior approval of the competent authority as per quoted premium by the contractor.
- Incomplete /disfiguring /over writing /by hand /delayed bids shall be considered non- responsive.
- Bids will be valid for 90-days from the date of acceptance by the competent authority.
- The procuring entity may reject all bids or proposals 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 ground for rejection of all bids or proposals as per KAPRA 47(1). However procuring entity is not bound to justify the grounds.
- The lowest eligible bidder shall be bound to execute the work as per approved drawings /specifications with the consultation of consultants (Government /Private Agency) during the execution of the work as desired by the competent authority.

DY: DIRECTOR (BUILDING)
PESHAWAR DEV: AUTHORITY
PDA House Block-14th Floor Phase-V,
Hayatabad Peshawar
Phone 091-9217026-29 (Ext-352)

Say No
to Corruption



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INF(P)5514