



17th December, 2015

TL15/1712/8A

Chairman,
The Bank of Khyber,
34- The Mall,
Peshawar Cantt.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014 & Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, SVP/ Head Branding & Marketing, The Bank of Khyber, Peshawar Cantt.'s Quotation Notice for Supply of Printed Sheets.

Dear Sir,

This is with reference to The Bank of Khyber, Peshawar Cantt.'s Quotation Notice, published in daily "Dawn" on 11th December, 2015. It is observed that the advertisement is in violation of the KPPPRA Rules 2014 & KPK PPR Act 2012.

1. As per the advertisement, 15 days of response time is not given and the submission date of quotation is given on 21-12-2015, which is 4 days short, and is violation of KPPPRA Rules 2014, Page 18, the 'Response time' Clause. Stated as under;

***Response time.**---(1) The procuring entity may decide the response time for receipt of bids or proposals including proposals for pre-qualification from the date of publication of an advertisement or notice, keeping in view the contract's complexity, and urgency. However, under no circumstances the response time shall be less than fifteen days for national competitive bidding and thirty days for international competitive bidding from the date of publication of advertisement or notice in the national newspaper.*

2. Also, no information regarding issuance of bidding documents is given for the bidders. However, according to KPPPRA Rules 2014, Page 17, the 'Bid solicitation documents' clause, a set of tenders document should be provided to the bidders. Stated as under;

***Bid solicitation documents.** (5) Solicitation documents shall be made available to the bidders from the date of their issuance to the closing date on submission of required fee by the prospective bidder whether in person or, if so requested through an authorized request in writing. In case the request is made through courier, it shall accompany a bank draft in favor of the procuring entity including the cost of return delivery.*

3. Also that, "The Bank of Khyber reserves the right to accept or reject any or all tenders without assigning any reason". However, according to KPPPRA Rules 2014, Page 21, the 'Rejection of bids' Clause does not allow rejecting bids without assigning any reason and the reason of rejection should be communicated to the bidders". Stated as under;

***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.*

4. Also, the undersigned has restricted the bidders to supply one vision 3M /Avery Denison/ Korean Printed Sheets only, and has not added "or equivalent" with it, which is not allowed under KPK PPR Act 2012 Section No. 23 (4). Stated as under;

***23. Bid Solicitation documents** --- (4) Each procuring entity shall solicit bids based on performance or functional specifications and not on restrictive or proprietary specifications of a particular brand.*



The above information is forwarded for the purpose of avoiding the mis-procurement, and with request to re-invite the quotation 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.



The Bank of Khyber

Quotations Invited

One Vision for Branches

The Bank of Khyber invites sealed quotations for supply of one vision 3M/Avery Denison/Korean Printed Sheets (as per BoK approved designs) to be pasted at BoK branches across Pakistan.

The Bank of Khyber Reserves the right to accept or reject any or all tenders without assigning any reason.

The bidders shall ensure that KPPRA rules are followed while submitting their proposals.

Terms and Conditions:

1. The bidder should submit their company Profile and Experience of 10 years along with quotation.
2. Last date of submission of the quotations is 21st December, 2015 at 10:30 am, Quotation will be opened on the same day at 11:30 am, in the office of undersigned.
3. The validity of contract is for Three Year.
4. The bidder/firms should be registered with the GST Income Tax.

SVP/Head Branding & Marketing

The Bank of Khyber

Head Office: 2nd Floor, State Life Building,

34-The Mall, Peshawar-Cantt.

Tel: 091-527 2171, 527 0321, Fax: 091-527 2178