



TRANSPARENCY INTERNATIONAL-PAKISTAN

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17th June, 2019

TL19/1706/5A

Tehsil Municipal Officer,
Tehsil Municipal Administration (TMA),
Khwazakhela, Swat,
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Tehsil Municipal Officer/ Tehsil Nazim, Tehsil Municipal Administration (TMA), Khwazakhela's Tender Notice for Supply of Items.

This is with reference to TMA, Khwazakhela's Tender Notice, published in daily "The News" on 13th June, 2019. It is observed that the advertisement is in violation of the KPPRA Rules 2014.

As per advertisement, 15 days of response time is not given and the last date for the submission/ opening of tenders is given as 21-06-2018, which is 6 days short. It is a violation of KPPRA Rules 2014, Rule No.34 (1). Stated as under:

34. Response time. - (1) The procuring agency 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 individual procurement's complexity, availability 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.

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, KPPRA, Peshawar.

INTERNATIONAL
THE NEWS

TEHSIL ADP FOR THE YEAR 2018-19 OUT SAVING AMOUNT FOR THE THE YEAR 2016-17 OF TEHSIL MUNICIPAL ADMINISTRATION KHWAZAKHELA

S. #	Location	Name of Scheme	E/ Cost Rupees in (Million)	2% Earnest Money	Tender Opening Date
1.	Shin	DWSS Supply of HDPE 1/2" dia at UC Shin	50000	10000	21/06/2019
2.	Malindam	DWSS Supply of HDPE 1/2" dia at UC Malindam	300000	6000	-do-
3.	Fatehpur	DWSS Supply of HDPE 20mm dia at UC Fatehpur	500000	10000	-do-
4.	Jaru Charitalai	DWSS Supply of HDPE Pipe 20mm dia at UC Jaru Charitalai	400000	80000	-do-
5.	Kotana	DWSS Supply of HDPE Pipe 20mm dia at UC Kotana	300000	6000	-do-
6.	Shalpin	DWSS Supply & Fixing of HDPE Pipe 20mm dia at UC Shalpin	400000	80000	-do-
7.	Miandam	DWSS Drinking Water Supply Scheme (Supply of HDPE 20mm Pipe) at UC Miandam	500000	10000	-do-
8.	Malindam	Pavement of Street (PCC) at UC Malindam	500000	10000	-do-

TERMS AND CONDITIONS

- 1- Tender Form/ BOQ can be downloaded after publication in the newspapers by the original registered contractors from Local Council Board website. (www.lgkp.gov.pk)
- 2- The Government of Khyber Pakhtunkhwa, Local Government, Elections & Rural Development Department (Local Council Board), Peshawar to insure maximum transparency in the process of existing E-Tendering System by introducing E-Bidding System and circulated vide Notification No.AOI/LCB/Estt:/19-6/2017 dated 19/06/2017 that all the Local Councils in the Province of Khyber Pakhtunkhwa shall offer their contracts through new E-Tendering System.
- 3- Option of printing of tender will be visible only to the enlisted contractors on providing online percentage of above/ below along with amount, bank & date of earnest money and additional security in case of below than 10% and agreeing with terms and conditions of tender.
- 4- All the enlisted contractors have an option to withdraw their bids online upto closing time of tender if they intend not to participate in bidding. In case they have applied rates online then they shall be compelled to submit printed tenders documents along with requisite documents to TMA Khwazakhela, otherwise will be liable to be declared as black listed.
- 5- Any tender or offer of works made by any enlisted contractor without filling bids online shall be null and void henceforth.
- 6- The TMA Khwazakhela shall award and print work order through New E-Tendering System. Any work awarded and work order issued by the TMA without E-Tendering System shall be null and void henceforth.
- 7- The documents must be attached with the bids such as i) 2% Earnest Money in shape of original Call Deposit in the name of Tehsil Municipal Officer, TMA Khwazakhela from scheduled banks, ii) Enlistment copy of Local Council Board for the year 2017-18, iii) Registration copy of Pakistan Engineering Council and iv) copy of CNIC for each scheme in a separate envelope highlighting name of work (written over the envelope).
- 8- Sealed bids must be sent through Registered Mail/ Couriers Service should reached on 21/06/2019 upto 12.00 PM and will be opened on the same date at 02.00 PM in the presence of bidders by the Tender Committee. Delay in delivery of the tender documents will be the responsibility of bidders.
- 9- The contractors/ bidders who quotes their bid/ rates more than 10% below the engineer estimate shall submit an additional security in shape of call deposit equal to 8% of the Estimated Cost. After commencement of works by the successful bidders 8% call deposit may be replaced with a bank guarantee of the same amount from the schedule bank.
- 10- In case the bidder quotes more than 10% below rate the estimate cost and the bid is not accompanied by the additional security then the bid shall be considered as non-responsive and the 2nd lowest bidder and so on will be considered accordingly.
- 11- The tenders shall be processed according to "Above/ Below System" based on Market Rate System. 12- The Engineer Estimates are framed on the MRS-2017.
- 13- The Tender Forms and BOQs must be signed by the original contractor.
- 14- The successful contractors have to pay stamp duty alongwith contingency charges and all applicable Provincial/ Federal Government taxes issued from time to time.
- 15- Bid security of some or all the bidders will be retained by the employer till approval of Tender/ Bid validity period.
- 16- Complete bids both (Original and Duplicate) must reach to the TMA Khwazakhela on or before the fixed date/ time and the duplicate copy will be sent to the Local Council Board, Peshawar through special messenger by TMA Khwazakhela as per instructions of the Provincial Government.
- 17- Incomplete/ conditional or telegraphic tenders shall not be accepted.
- 18- The Department will not bound to provide any machinery/ testing laboratory and the total cost on it will be borne by the contractors themselves.
- 19- Any bidder who provides incorrect information should be disqualified.
- 20- In case of bids become tie the award of contract shall be decided through a free toss which shall be binding and final.

INF(P)2625/19

Tehsil Municipal Officer, Tehsil NAZIM,
Tehsil Municipal Administration Khwazakhela Tehsil Municipal Administration Khwazakhela