



TRANSPARENCY INTERNATIONAL-PAKISTAN

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17th May, 2017

TL17/1705/12A

Project Director- Project Implementation Unit,
Gomal Zam Dam Command Area Development Project,
On Farm Water Management Training Center,
D.I Khan,
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, Project Director- Project Implementation Unit, Gomal Zam Dam Command Area Development Project, D.I Khan's Tender Notice for Construction of Earthen & Lined Watercourses.

Dear Sir,

This is with reference to Gomal Zam Dam Command Area Development Project, D.I. Khan's Tender Notice, published in daily "Express" on 13th May, 2017. It is observed that the advertisement is in violation of the KPK PPRA Act 2012.

As per the advertisement, the fee for bidding documents are charged as PRs 15, 000/- per package (non-refundable), 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.



PROJECT IMPLEMENTATION UNIT

GOMAL ZAM DAM COMMAND AREA DEVELOPMENT PROJECT
GOVT. OF KHYBER PAKHTUNKHWA

AGRICULTURE, LIVESTOCK & COOPERATIVES DEPARTMENT, D.I.KHAN

Gomal Zam Dam Command Area Development Project is jointly funded project of Govt. of Khyber Pakhtunkhwa and USAID. The Project Implementation Unit invites sealed bids on Single Stage, Single Envelop basis in accordance with KPPRA Rules-2014 for the following works on farmers' fields located at different sites in Tehsil Kulachi, District D.I.Khan on cost sharing basis with the farmers/beneficiaries:

Detail of Works	Estimated Cost	Earnest Money (@2%)
Package-V (14 Nos Watercourses): Construction of earthen & lined watercourses along with installation/construction of allied structures (Nuccas, culverts, washing pads & drops, etc) on Distributary # 7 & 11	PKR 42,936,230/-	PKR 8,58,725/-
Package-VI (14 Nos of Watercourses): Construction of earthen & lined watercourses along with installation/ construction of allied structures (Nuccas, culverts, washing pads & drops, etc) on Distributary # 8 & 11	PKR 44,199,940/-	PKR 8,83,999/-
Package-VII (15 Nos Watercourses): Construction of earthen & lined watercourses along with installation/ construction of allied structures (Nuccas, culverts, washing pads & drops, etc) on Distributary # 8	PKR 43,601,848/-	PKR 8,72,037/-
Package-VIII (12 Nos Watercourses): Construction of earthen & lined watercourses along with installation/ construction of allied structures (Nuccas, culverts, washing pads & drops, etc) on Distributary # 9 & 10	PKR 44,139,959/-	PKR 8,82,800/-
Package-IX (20 Nos Watercourses): Construction of earthen & lined watercourses along with installation/ construction of allied structures (Nuccas, culverts, washing pads & drops, etc) on Distributary # 10, 12 & 13	PKR 43,708,081/-	PKR 8,74,162/-

Terms and Conditions

1. Bidding documents separate for each package, containing BoCs can be obtained upon payment of PKR 15,000/- (Pak Rupees Fifteen Hundred only) per Package (non- refundable) against proper receipt from the office of the undersigned with effect from the date of publication of this notice in the newspaper till one day prior to the bid opening date.
2. Bidders shall have either its own PCPS and Nucca manufacturing yard having valid enlistment with On Farm Water Management department, Khyber Pakhtunkhwa or shall be in partnership with a firm having such yard.
3. Bidding documents shall only be issued to the contractors or his authorized representative having authority on judicial stamp, upon production of attested copies of the documents mentioned in Para-4 (a to e) below:
4. Bidders/contractors shall apply separately for each package and send their bids in duplicate along with original call deposit and attested copies of the following documents through Courier (separate envelopes clearly marked as Original & Duplicate):
 - a. Valid registration/enlistment with any Public sector Works Department of Khyber Pakhtunkhwa.
 - b. Valid registration with PEC in relevant category (C-05) and field specialization (CE-04 & CE-10).
 - c. Valid CNIC of the bidder or his authorized representative.
 - d. Income Tax and Sales Tax Registration with concerned authority.
 - e. Proof of ownership of PCPS and Nucca manufacturing yard or valid partnership deed.
 - f. Earnest Money (CDR) (@2% of the bid cost) from any Scheduled Bank of Pakistan in the name of the Project Director, PIU, GZD-CADP, D.I.Khan.
5. Bidders/Contractors can apply for one or more than on package separately clearly marked on the envelop.
6. If any document submitted with the bid document is found false/fake, the registration of the contractors/firms shall stand cancelled / black listed.
7. Bidders/contractors who quote their bids/rates more than 10% below the estimated cost shall also provide an additional security in the form of call deposit equal to 8% of bid cost. After commencement of work by the successful bidder, 8% call deposit may be replaced with the bank guarantee of the same amount from scheduled bank. Additional security shall be released to the contractor in four installments i.e. 25% after completing 1/4th of the project, 50% upon completing 1/2 of the project, 75% upon completing 3/4 of the project and the remaining on completion of the project. In case the bidder quoted more than 10% below the bid 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.
8. Bidders/contractors should quote their rates on "Percent Above/Below" of the estimated cost (both in words & digits) and only two digits after the decimal point shall be considered for bid evaluation purpose.
9. The person whose name exists in Form "H" (Partnership Deed) will only be entitled to sign the bid form, BoQ and all other contract documents and no proxy will be allowed to participate in the bidding.
10. Client has the authority to reject any or all the bids as per KPPRA Rules-2014.
11. All federal and provincial duties/stamp duty/taxes will be recoverable as per directives of the Govt issued from time to time.
12. Bid securities of 1st, 2nd and 3rd lowest bidders for the respective works will be retained by the Client till approval of tenders.
13. In case of tie, the award of contract will be decided through TOSS by procurement committee which shall be binding & final.
14. Any disfiguring / overwriting, manipulation in the tenders shall be liable to rejection.
15. Bids incomplete, conditional, electronic, by hand and received late shall not be entertained.
16. Bids complete in all respects shall reach the office of the undersigned latest by 12:00 Noon 30th May, 2017 which shall be opened on the same date as per above-mentioned schedule in the presence of bidders, who wish to attend.
17. Bidders are at liberty to seek any clarification or further information from the office of the undersigned during office hours.

Project Director - Project Implementation Unit

Gomal Zam Dam Command Area Development Project
On Farm Water Management Training Center, Bahnu Road, D.I.Khan
(Ph: 0966 720991/280387, Fax: 0966 832650, Email: pd.gzd.cadp@gmail.com)

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**"SAY NO TO
DRUGS"**

