



17th October, 2017

TL17/1710/8A

Managing Director,
Education Employees Foundation KPK,
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014 & Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, Managing Director, Education Employees Foundation KPK, Peshawar's Tender Notice for Miscellaneous Works.

Dear Sir,

This is with reference to Education Employees Foundation KPK, Peshawar's Tender Notice, published in daily "Express" on 13th October, 2017. It is observed that the advertisement is in violation of the KPPRA Rules 2014 and KPK PPRA Act 2012.

1. As per advertisement, "the competent authority reserves the right to reduce/ increase the project cost", whereas any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However, according to KPPRA Rules 2014, Rule No.10, repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

10. Alternate methods for procurement of goods.--- A procurement entity may use the following alternative methods for procurement of goods, namely:

(c) a procurement entity shall only engage in alternate method if the following conditions exist, namely:

(i) repeat orders within a period of six months:

Provided that it does not exceed fifteen percent of the original contract value;

2. Also, the cost of bidding document is charged as PRs 10, 000/- (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

4-C, Mezzanine Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
Tel: (92-21) 35390408, 35311897-8,
Fax: (92-21) 35390410
E-mail: ti.pakistan@gmail.com
Website: www.transparency.org.pk

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.



TENDER NOTICE

Education Employees Foundation KPK Peshawar invites tenders on above/below (Both schedule & Non-schedule) for the following works from already pre-qualified firms who have renewed Registration with Pakistan Engineering Council (PEC) for the year 2017 with the EEF Department.

Name of Work	Estimated Cost (Millions)	Earnest Money
Additional Flood Protection Wall & Boundary Wall	15.587	2%
Internal Electrification Works	70.635	2%
Development of Tube Well, Pumping Machinery & Chamber with Solar System	5.322	2%

Terms and Conditions:

- A complete set of tender can be obtained from the office of PEPAC, unit No 410, 4th Floor, Sheikh Yasin Trade Center, University Road Peshawar Tel/Fax 091-5842014 on the cash payment of Rs. 10,000/- (nonrefundable) through application on any working day on or before 30-10-2017 during the office hours.
 - The Contractor shall provide upto date PEC Registration Certificate
 - The earnest money in shape of Bank Draft / Cash deposit receipt (CDR) from the schedule bank in favor of Managing Director, EEF, KPK, Peshawar amounting to Rs. 2% of the quoted bid price must accompany with financial bid.
 - The work shall be carried out in strict observance of lay down specifications
 - Conditional / posted / telegraphic tenders shall not be accepted
 - Any tender with correction /overwriting shall be rejected
 - All taxes will be deducted as per prevailing rules of Govt, of KPK
 - The contractor shall produce NTN Certificate
 - Any contractors/firms offered rate 10% or more below the estimated cost, additional 8% of the quoted cost will be deposited with bid security by the contractors/firms.
- The seal tender must reached in the office of Managing Director EEF, office building of Directorate General commerce education and management science Rano Garhi Chamkan Chowk GT Road Peshawar. Tel No. 091-2614253 on 31-10-2017 at 11:00 AM and the same will be opened on the same day at 02:00 PM
- The Competent Authority reserved the right to accept/ reject any tender and reduce/increased the project cost.
 - The advertisement is also available on www.hed.kpk

**Managing Director, Education
Employees Foundation KPK Peshawar**

INF(P) 5884 Also available on
www.khyberpakhtunkhwa.gov.pk

