



1st November, 2016

TL16/0111/7A

Vice Chancellor,
University of Swabi,
Swabi,
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement Regulatory
Authority Act 2012, Project Director, University of Swabi, Swabi's Re-Tender
Notice for External Development & Electrification Works.

Dear Sir,

This is with reference to University of Swabi, Swabi's Re-Tender Notice published in daily "The News" on 30th October, 2016. It is observed that the advertisement is in violation of the KPK Public Procurement Regulatory Authority Act 2012.

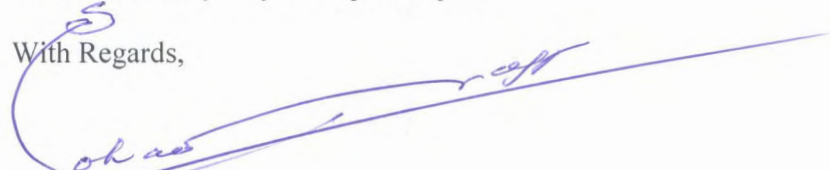
As per the advertisement, the fee of complete set of bidding documents for work is issued on non-refundable payment of PRs 10,000, which appears costly in light of the Procurement Act and is violation of KPK PPRA Act 2012. According to the Act, Section No. 19, in the 'Public Accessibility' Clause, the tender document fee shall not exceed printing cost. The Section is quoted below for your 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 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.

UNIVERSITY OF SWABI		UNIVERSITY OF SWABI RE-TENDER NOTICE				
UNIVERSITY OF SWABI		ADV NO: (3-5)-2016 TWO ENVELOPES TENDER				
Sealed bids on the basis of Single Stage Two Envelopes Procedure are hereby invited, from the eligible, reputed and experienced contractors/firms/companies working with Government Departments/reputed organization, registered with Pakistan Engineering Council in category C-4 & above, having specialization code of CE-01, CE-09 & CE-10 for the works at Serial No.1 & EE-04, EE-05 & EE-06 for the work at Serial No.2 respectively, for construction of the following works:						
S.No	Name of Work	Estimated Cost (Rs. in Million)	Bid Security i/c Stamp Duty (Rs. in Millions)	Date of Pre Bid Meeting	Date of submission of Technical and Financial Bids	Date of opening of Technical Bids
1.	External Development works i.e. construction of Roads, Footpaths, Parking, Water Supply, Drainage and Sewerage System etc at University of Swabi (New Campus) Package-I Package-II	104.00 106.25	2% of bid cost separately for each package	10-11-2016	14-11-2016 (2:00 pm)	14-11-2016 (3:00 pm)
2.	External Electrification works Package-III	112.08	2% of bid cost	10-11-2016	14-11-2016 (2:00 pm)	14-11-2016 (3:00 pm)
Terms & Conditions:						
<ol style="list-style-type: none"> The eligible contractors/firms/companies are required to submit two separate sealed envelopes i.e. one envelope containing technical information of the contractor clearly marked as Technical Bid while the second envelope containing bid price, clearly marked as Financial Bid, shall be accompanied with Earnest money/Bid security @ 2% of Bid Cost including stamp duty in favor of the Treasurer University of Swabi, in shape of Call Deposit/Bank Guarantee (in original) from any scheduled bank of Pakistan. The "Technical bid" of the firm/contractor/company will be evaluated in accordance with the evaluation criteria as per PEC/PPRA's/KPPRA's rules as provided in the bidding documents. The Financial bids of only those firms shall be opened and allowed to participate in the tendering process declared qualified by the Technical Sub-Committee. Technical bids will be opened first and financial bids will be opened after completion of qualification process, in the presence of technically qualified bidders on date & time given above. The financial bids of un-successful bidders will be returned unopened. It is mandatory for a firm to apply for both the Packages i.e. (I & II) at Serial No.1. Bidding shall be done on "% above/below on BOQ cost". The person whose name exists in form-H/Partnership deed will only be entitled to sign the tender, BOQ and all other contract documents, in case, wherein it is established that any contractor found at guilty, the competent authority may take appropriate action against the firm/contractor which will lead to disqualification/black listing of the firm and the bid will be stand cancelled. The bidder who quote more than 10% below on the BOQ cost is required to submit 8% additional Earnest Money/Bid Security with Financial Bid in shape of Call Deposit Receipt (CDR), otherwise his bid will be considered as non responsive and the 2nd lowest bidder and so on will be considered accordingly. In case of equal bid 1st, 2nd and 3rd etc. the lowest bidder would be decided through toss/ draw by the undersigned. Bidders attention is invited to the requirement of furnishing complete information in respect of their technical and financial qualification on the forms included in the bidding documents for the purpose. All Taxes etc. shall be deducted from the bill of the contractors/firms/companies at prescribed rates notified by the Government from time to time. The sealed Technical and Financial Bids will be received through registered mail /courier service; by hand/faxed and on other source delivery of the said documents as well as documents received after due date and time shall not be entertained. Incomplete/disfiguring/over-writing/by-hand/delayed bids will be considered non-responsive The bidders are at liberty to seek any clarification or further information from the office of undersigned or from the office of Director P & D, University of Swabi, if desire on any working day during office hours The University of Swabi reserves the right to accept/reject any/all tenders/bids as per PPRA's/ KPPRA's rules. A complete set of bidding documents may be purchased on submission of written application from office of the Undersigned upon payment of a non-refundable fee for printing of documents amounting to Rs.10,000/- to be submitted in the form of bank draft in favor of Treasurer, University of Swabi. Tender forms/bidding documents shall be issued to the original contractors/firms/companies or their/his authorized agent (through a stamped paper of value Rs.30) on the production of original or attested copies of Registration/Enlistment, renewal fee receipt for the current year and valid license from the PEC in the relevant category. 						
Note: This tender Notice is also available at University website (www.uoswabi.edu)						
PROJECT DIRECTOR University of Swabi, Khyber Pakhtunkhwa Website: www.uoswabi.edu.pk Ph: 0938490236/0938490238						