



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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22<sup>nd</sup> October, 2015

TL15/2210/5A

Secretary,  
Communication & Works Department,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Executive Engineer, C&W Department Building Division, Nowshera's Notice Inviting E-Tender for Establishment Works.

Dear Sir,

This is with reference to C&W Department Building Division, Nowshera's Notice Inviting E-Tender Notice published in daily "Mashriq" on 17<sup>th</sup> October, 2015. It is observed that the advertisement is in violation of the KPPRA Rules 2014.

As per advertisement, "no response time is given for bidders for the submission of bids", and is violation of KPPRA Rules 2014, Page 18, the 'Response time' Clause. Stated as under;

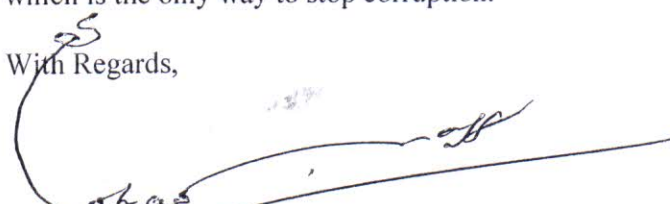
*Response time.---(1) The procuring entity may decide the response time for receipt of bids or proposals including proposals for pre-qualification from the date of publication of an advertisement or notice, keeping in view the contract's complexity, and urgency. However, under no circumstances the response 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.*

The above information is forwarded for the purpose of avoiding mis-procurement, mentioned KPPRA Rules 2014, page 22 stated as under; and with request to re-invite the short tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

*Mis-procurement. - Any breach of these rules shall amount to mis-procurement and the person responsible for such breach shall be liable to be proceeded under the relevant law.*

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.



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT  
NOTICE INVITING E- TENDER  
(Single stage two envelope procedures)**

1 C&W Department Building Division Nowshera, Government of Khyber Pakhtunkhwa invites sealed Bids from eligible firms/contractors in accordance with KPPRA procurement rules 2014 on single stage two envelope procedures for the following works. The Bidders should be registered with Pakistan Engineering Council (PEC) in relevant category & filed of specialization, enlisted with C&W Department and should have adequate financial soundness relevant experience, personnel capabilities, require, equipment and others as included in ITB.

Sl. No.	Name of work	Required category of PEC	Bid Security	Period of Completion	Last date and time
1	Establishment of Services Delivery Centre In Khyber Pakhtunkhwa (ADP No. 72/140586, 2015-16) SH: Services Delivery Centre at Jehangira	C5 & Above	2% of bid cost		
2	Establishment of Services Delivery Centre In Khyber Pakhtunkhwa (ADP No. 72/140586, 2015-16) SH: Services Delivery Centre at Nowshera	-do-	-do-	-do-	-do-
3	Establishment of Services Delivery Centre In Khyber Pakhtunkhwa (ADP No. 72/140586, 2015-16) SH: Services Delivery Centre at Pabli.	-do-	-do-	-do-	-do-
4	Up Gradation of 50-PS to MS in KP (ADP NO. 343/130336, 2015-16) SH: GGPS Zavo Banda (PK-12) District Nowshera (Re-Tender)	C6 & Above	-do-	-do-	-do-
5	Establishment of 160-Govt. Primary Schools (B&G) on need basis in Khyber Pakhtunkhwa (Phase-iv) (ADP No. 217/140612, 2015-16) SH: GPS Bajawar Abad (PK-13) District Nowshera (Re-tender)	-do-	-do-	-do-	-do-
6	Establishment of 160-Govt. Primary Schools (B&G) on need basis in Khyber Pakhtunkhwa (Phase-iv) (ADP No. 217/140612, 2015-16) SH: GGPS Bagh (PK-13) District Nowshera (Re-tender)	-do-	-do-	-do-	-do-

- 2 Bid documents including Tender Form, BOQ and Instruction to bidders can be downloaded up to one day prior to the opening date from C&W web site [www.cwd.gkp.pk](http://www.cwd.gkp.pk)
- 3 Original bid security in the shape of call deposit in the name of Executive Engineer C&W Building Division Nowshera shall accompany the financial bid.
- 4 The bidders are required to send their bids (technical & financial) through courier in duplicate in separate envelopes clearly marked as Original & Duplicate. The Original shall be sent to the Executive Engineer C&W Building Division Nowshera and the duplicate to Superintending Engineer C&W Circle Peshawar. Both the Original and Duplicate bids shall reach the concerned office before Closing date and time.

**INSTRUCTIONS TO BIDDERS**

- 1 I. Technical bid/proposal should accompany the following.
  - a. Certificate that the Bid Security in the shape of deposit at call (original) has been enclosed in financial bid.
  - b. Enlistment Order of C&W Department (photocopy)
  - c. Renewal of registration for CFY 2015-16 (photocopy)
  - d. National Identity Card (CNIC Photocopy)
  - e. Pakistan Engineering Council registration copy for calendar year 2015.
  - f. Form H of the Company/Firm.
  - g. Documents showing general capabilities, financial soundness, general and relevant experience record, personnel capabilities,
  - h. Any other documents to support the technical bid.
- 2 Technical evaluation will be carried-out with pass/fail threshold in passing all the fields including PEC Registration, Enlistment with C&W Department, Tax Payer proof, Relevant experience in past 05 years, Performance, Technical Personnel, required Equipment, Financial status, Auditors report, Managerial capabilities, Litigation status etc.
- 3 Technical and financial bids should be in sealed envelopes clearly marked "Technical Bid" and "Financial Bid". Complete bids (both original and duplicate) must reach the concerned offices on or before the fixed date/time.
- 4 Financial bid should include Priced BOQ (hand written in figures and words) and Bid Security.
- 5 Incomplete/Conditional/electronic bids and bids received after closing time shall not be entertained. Bids shall be signed by authorized persons.
- 6 In case the successful bid is below the Engineers estimate up to 10% the bidder shall provide performance guarantee/insurance coverage of a company having at least AA rating from PACRA/JCR or bank guarantee equal to 10% of the estimated cost within 21 days of acceptance letter. In case the bid is more than 10% below the Engineer Estimate, the bidder shall provide bank guarantee as additional security within 14 days equal to the amount of the difference of the quoted bid and the Engineer Estimate to firm up the bid. These guarantees will be discharged on the expiry of the defect liability period of the contracts.
- 7 If the performance bond or bank guarantee (whichever the case may be) is not provided by the bidder in the required period, then offer will be given to the next lowest bidder & so on and the bid security of the defaulter bidder will be forfeited.
- 8 Bidder should fill the BOQ on Item Rate System, if any item is left blank, it will be considered to be done free of Cost. Only Two (02) digits after the decimal will be considered in item rates.
- 9 Any bidder who provides incorrect information should be disqualified.
- 10 Time allowed for completion of the work is as specified in the NIT which will start from the issuance of work order.
- 11 Bids will be valid for Ninety (90) days.
- 12 Successful Bidder should sign the agreement with the department within Seven (07) days after acceptance of bid.
- 13 Call Deposit of Scheduled Banks shall be acceptable.
- 14 If the evaluated bid costs of two or more than two bidders are same then the successful bid will declared through draw.
- 15 Technical Bids will be opened on latter date will communicated to technically qualified bidders only.
- 16 If duplicate as non-responsive.
- 17 The employer has the authority to reject any bid or all the bids assigning cogent reasons.
- 18 Bid security of the 1st, 2nd and 3rd bidder for the specific work will be retained by the Department up to approval of tender.
- 19 All other terms/ conditions/ documents can be seen in the office of the undersigned on any working day during office hours.

**EXECUTIVE ENGINEER**

Say No  
to Corruption

\* InfoKPGovt \* @infoKPGovt  
\*Send KP to 8333 INF(P)4824