



23<sup>rd</sup> June, 2017

TL17/2306/2A

Nazim,  
Chairman District Purchase Committee,  
Peshawar, Khyber Pakhtunkhwa.

**Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, DEO (Male) Chairman District Purchase Committee and DEO (Female) Peshawar's Tender Notice for Purchase of Electrical Item for Govt. Schools (Boys & Girls) in Peshawar.**

Dear Sir,

This is with reference to Chairman District Purchase Committee, Peshawar's Tender Notice, published in daily "Nai Baat" on 22<sup>nd</sup> June, 2017. It is observed that the advertisement is in violation of the KPK Public Procurement of Goods, Works and Services Rules 2014.

1. As per advertisement, "The given funds or budget may increase or decrease", 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, only the date and time of the submission of tender is mentioned in the advertisement, whereas it should also include the date and time of opening of tender that shall be on the same day. Therefore the advertisement is in a violation of KPPRA Rules 2014, Rule No.37(6). Stated as under;

*37. Submission of bids and bid opening: — (6) All announcements pertaining to public procurement shall specify the last date for submission of bids as well as the public bid opening which shall be the same.*

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.

