



**Khyber Pakhtunkhwa
Economic Zones Development &
Management Company**

Government of Khyber Pakhtunkhwa



Ref: KPEZDMC/ADM/TI-P/0816/7012

Dated: August 24, 2016

Chairman,
Transparency International – Pakistan,
5-C, 2nd Floor, Khayaban-e-Ittehad, Phase VII.
DHA, Karachi.
Tel: (92-21)-35390408.

Subject: **Observation over Pre-Qualification Notice published on 9th August, 2016**


Dear Sir,


In reference to your letter No. TL16/1208/1A dated 12th August, 2016, we acknowledge and appreciate you highlighting the discrepancy in our advertisement of August 9, 2016.

To avoid any mis-procurement charges we have issued a corrigendum of our Tender Notice on August 20, 2016 in the "Daily Express & The News".

Copy of the TI-Pakistan Letter & said advertisement has been attached for the ready reference.

Regards,


Jawad Amin
Chief HR/Admin Officer
Khyber Pakhtunkhwa Economic Zones
Development and Management Company



Copy 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.

(A company registered under section 42 of the Companies Ordinance 1984)

120 Industrial Estate, Jamrud Road
Hayatabad, Peshawar- 25000
Khyber Pakhtunkhwa

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+92-91-5891518
www.kpezdmc.org.pk



TRANSPARENCY INTERNATIONAL-PAKISTAN

12th August, 2016

5-C, 2nd Floor, Khayaban-e-Ittehad, Phase VII,
Defence Housing Authority, Karachi.
Tel: (92-21)-35390408, 35390409, Fax: 35390410
E-mail: ti.pakistan@gmail.com
Website: www.transparency.org.pk

TL16/1208/1A

Chairman,
Khyber Pakhtunkhwa Economic Zones Development and Management Company,
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Chairman, Khyber Pakhtunkhwa Economic Zones Development and Management Company, Peshawar's Pre-Qualification Notice for Development of Modern Infrastructure & Manage State-of-the-Art Industrial Estates.

Dear Sir,

This is with reference to KPEZDMC, Peshawar's Pre-Qualification Notice published in daily "Express" on 9th August, 2016. It is observed that the advertisement is in violation of the KPK PPRA Rules 2014.

1. As per advertisement, KPEZDMC reserves the right to change requirement at any time mentioned in the pre-qualification notice and/or solicitation process without assigning any reason, 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, KPEZDMC reserves the right to cancel requirement at any time mentioned in the pre-qualification notice and/or solicitation process without assigning any reason. However, as per KPPRA Rules 2014, Rule No.36 (4). Stated as under:

36. Pre-qualification process. -(4) The procuring entity shall communicate on request, to those contractors or consultants who have not been pre-qualified the reasons for not pre-qualifying them.

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 54, with request to re-invite the pre-qualification 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 Muzaaffar
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.



**KHYBER PAKHTUNKHWA
ECONOMIC ZONES
DEVELOPMENT & MANAGEMENT
COMPANY (KPEZDMC)**

CORRIGENDUM

Reference to advertisement published in Daily "Express" dated 09-08-2016, the conditions and final date & time for submission now be treated as under: -

- i) Final date of submission of pre-qualification documents has been extended from August 24th, 2016 to **September 8, 2016**.
- ii) The condition "KPEZDMC reserves the right to change or cancel requirements at any time mentioned in pre-qualification notice and/or solicitation process without assigning any reason" is withdrawn.
- iii) All procurement processes mentioned in the advertisement will be conducted in compliance with **The Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014**.



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091-9217720

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20/08/16
Daily Express







**KHYBER PAKHTUNKHWA
ECONOMIC ZONES
DEVELOPMENT & MANAGEMENT
COMPANY (KPEZDMC)**

CORRIGENDUM

Reference to advertisement published in Daily "The News" dated 09-08-2016, the conditions and final date & time for submission now be treated as under: -

- i) Final date of submission of pre-qualification documents has been extended from August 24th, 2016 to September 8, 2016.
- ii) The condition "KPEZDMC reserves the right to change or cancel requirements at any time mentioned in pre-qualification notice and/or solicitation process without assigning any reason" is withdrawn.
- iii) All procurement processes mentioned in the advertisement will be conducted in compliance with The Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014.



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20-08-16
The News.