



TRANSPARENCY INTERNATIONAL-PAKISTAN

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

24th November, 2015

TL15/2411/4A

The Secretary,
Irrigation Department,
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014 and Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, Project Director, Remodeling of Warsak Canal System, Irrigation Department, Peshawar's Tender Notice for Remodeling of Warsak Canal System in Peshawar.

Dear Sir,

This is with reference Irrigation Department, Peshawar's Tender Notice published in daily "Mashriq" on 19th November, 2015. It is observed that the advertisement is in violation of the KPPRA 2014 and KPPRA Act 2012.

1. As per the advertisement, "the date of issuance of tender forms is given as 7-1-16". It is violation to KPPRA Rules 2014, Page 17. Stated as under;

Bid solicitation documents. (5) Solicitation documents shall be made available to the bidders from the date of their issuance to the closing date on submission of required fee by the prospective bidder whether in person or, if so requested through an authorized request in writing. In case the request is made through courier, it shall accompany a bank draft in favor of the procuring entity including the cost of return delivery.

2. Also, "only the opening date and time of bids is mentioned in the advertisement, without stating the date & time of submission of bids that shall also be on the same day". It is a violation of KPPRA Rules 2014, Page 18 & 19. Stated as under;

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.

3. Also, the Tender Documents fee is given as PRs 45,000/-, which appears costly in light of the Procurement Act and is violation of Khyber Pakhtunkhwa Public Procurement Regulatory Authority 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 the mis-procurement, and with request to re-invite the quotation 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.



NOTICE INVITING TENDER

To secure more food for province of Khyber Pakhtunkhwa and to uplift the Socio Economic condition of the rural populace, the Government Intends to invite sealed tenders from the Pre-qualified Government contractors of Irrigation Department Khyber Pakhtunkhwa, who have renewed their enlistment with the Irrigation Department and PEC license for the year 2015-16, for the following work.

Name of Work	Estimated Cost (Rs. Million)	Earnest Money (Rs.)	Time for Completion	Last date for submission of applications for issuance of Tender Documents	Date of Issuance of Tender Documents	First date of opening of Tender	Second date of opening of Tender
Remodeling of Warsak Canal System in Peshawar and Nowshera Districts. Package RWCS 3 upgradation of Existing pump house and Related Electro Mechanical Works	1297.02	25940400	as per work	30/12/15	7/1/2015	19/1/2015	21/1/16

TERMS AND CONDITION.

- 1 Earnest money shall be deposited in shape of Deposit at call @ 2% of the Estimated Cost from any branch of the schedule bank preferably the Bank of Khyber, Peshawar in the name of the undersigned and be attached with the application in original.
- 2 Tender Documents shall be issued to the original Contractors / Firms or his / their authorized representatives (Pre-qualified) on Rs. 2000/- valued stamp paper on the production of attested copy of Registration / Enlistment, renewal fee receipt for the year 2015-16, NIC and valid license from PEC in the relevant Category (C-1 and above).
- 3 The Contractors/ Firms who quote rates below the Estimated cost shall be required to submit Bank Guarantee/Deposit at Call from any branch of the schedule Banks, preferably the Bank of Khyber Peshawar for an amount equal to the difference between estimated cost and the tendered cost within 10 working days of opening of bid. In case of failure his/their already deposited 2% earnest money shall be forfeited in favour of the Government. The acceptance of bid or otherwise will be governed by Government policy.
- 4 The Firms/ Contractors are required to quote item rates of their total bid cost on Tender Documents / BOQ both in "figures and words" Any kind of cutting / overwriting in the Tender Documents / BOQ will be liable to rejection.
- 5 A complete set of tender Documents may be purchased on submission of a written application to the Project Director upon payment of non-refundable fee of Rs. 45,000/- (Rupees forty-five thousands only) in the form of Pay Order/ Demand Draft in favour of the Project Director Remodeling of Warsak Canal System Peshawar.
- 6 Sealed tenders will be opened on 19/1/2016 at 1200 hours in the presence of Tender Opening Committee and Contractors or their authorized representatives who care to be present.
- 7 All taxes / stamp duty etc shall be deducted from the bill of the Contractor at the prescribed rates notified by the Govt. from time to time.
- 8 Pre-bid meeting will be held with Contractors on 15.01.2016 at 1000 hours in the office of the undersigned.
- 9 The works Will be executed under the supervision of the Project Consultants.
- 10 Any other Information can be obtained from the office of the undersigned on any working day before submission of the bids.
- 11 The Tender Documents received through Post, Courier Services, Fax or E-tendering will not be included in the tendering process.
- 12 The acceptance of Tender and Issuance of Work Order for commencement of work is subject to availability of funds and Department Will not be responsible for any claim of the Contractors.
- 13 Detail of works BOQ can also be downloaded from official website of Irrigation Department (www.Irrigation.gkp.pk).
- 14 The expenditure on account of any tests if needed and specified by the Engineer incharge would be borne by the Contractors.
- 15 The tender Documents can be purchased as per policy of the Government.
- 16 The undersigned reserves the right to reject any or all Tenders in accordance with Government rules.
- 17 In case of postponement of Tender on the above date, next date of Tender Opening would be as mentioned above with same conditions.

PROJECT DIRECTOR REMODELING OF WARSAK CANAL SYSTEM IRRIGATION DEPARTMENT PESHAWAR

Say No
to Corruption

* InfoKPGovt. * InfoKPGovt.

**Send KP to 8333 INF(P)5249

