



**T R A N S P A R E N C Y
I N T E R N A T I O N A L - P A K I S T A N**

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28th December, 2016

TL16/2812/1A

The Chairman,
Khyber Pakhtunkhwa Board of Technical Education,
Hayatabad, Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services
Rules 2014, Complaint against KPK Board of Technical Education, Hayatabad.

Dear Sir,

Transparency International Pakistan has received a complaint from M/s World Wide Associates against KPK BTE Hayatabad's tender notice pertaining to purchase of Stationery, Printing works, Office items and Furniture for not issuing tender documents till the time specified as per KPPRA Rules 2014 (Copy Encl.)

The complainant has alleged that the KPK BTE Hayatabad's tender was first published on 02/12/2016 on 'Mashriq' and documents were issued till 13/12/2016. The advertisement is in violation of KPPRA Rules 2014 No.33 (5) (6) as the documents have to be made available to all the interest bidders till response time, i.e. 15 days. Stated as under;

33. 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.

(6) In case where the procuring entity deem necessary may, keep a time period ending earlier than the closing date of tender or bid, for obtaining bid solicitation documents, provided that it is not less than the minimum response time provided in rule 34.

Also as per NAB instructions vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy enclosed), all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. NAB has also declared mis-procurement as liable for cognizance by NAB under relevant section of NAO 1999.

Chairman is requested to kindly direct the concerned department to issue bidding documents to all interested bidders for minimum 15 days period as provided in the KPPRA Rules 2014.



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, KPPPRA, Peshawar.
6. The Secretary, KPK Board of Technical Education, Hayatabad.

خیر پختونخوا اور خیبر پختونخوا کے لیے تعلیم اور صحت کے شعبوں میں کامیابیوں کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔

(1) آئس بیٹری (2) پمپنگ کا کام (3) دفتری سامان (4) کھانا پکانے کی کھانا کھانا

خیزدہ فارم میں ایک جہاز کے حادثے کی خبریں اور دیگر اخباری خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔

سورہ 13-12-2018 تک حاصل کیے جاسکتے ہیں

تینتو بیسٹ پیوٹنٹ سٹیٹس سرکاری شرائط:

- (1) خیزدہ بندھن ٹیٹنگ سٹیشن (NTNGST) میں کامیابیوں کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- شہر ذوالکابل کا خیزدہ فارم کے ساتھ منسلک ہوا گاڑی ہے۔ (2) اعلیٰ دستے کے ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- ٹیکس شامل ہونے (3) اعلیٰ دستے کے ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- پمپنگ کے سہولتوں میں سے (4) خیزدہ فارم پر (5) اعلیٰ دستے کے ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- آڈیٹل ٹول ٹیکس ہونے (سورہ 22-12-2016 تک) 10:00 بجے شروع ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- تعمیر اور تعلقہ فرسوں کے سونے پر (سورہ 22-12-2016 تک) 10:00 بجے شروع ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- تعمیر سے موصول ہونے والے پائپ کے سونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- ٹرکیٹ منسک نہ ہو سوز کے چاہیے۔ (6) خیزدہ فارم پر (7) اعلیٰ دستے کے ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- پہنچاؤ سے خیزدہ فارم سے خیزدہ فارم کے چھوٹے پمپنگ کے سہولتوں کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- کیا چاہیے (8) خیزدہ فارم کے حساب فرسوں کے کال لگوانے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- استعمال کسی بھی شرط پر سامان نامی صورت ہونے پر (9) اعلیٰ دستے کے ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔
- سورہ 22-12-2016 تک (10) خیزدہ فارم کے (11) اعلیٰ دستے کے ہونے کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔

Say No to Corruption

سیٹیکو قومی پورٹل کے لیے تعلیم و صحت کے شعبوں میں کامیابیوں کی خبریں اور کئی دیگر خبریں اور معلومات کے لیے سب سے پہلے **NTNGST** سے رابطہ کریں۔

تیرہ 5 حیات آباد پتہ و فون نمبر: 091-9217410, 9217020



INF(P) 7202 Also available on www.khyberpakhtunkhwa.gov.pk

To,

The chairman,
KPK BTE Hayatabad,
Peshawar.

SUBJECT: Tender for the purchase of, 1: stationary, 2: printing work, 3: office items, 4: furniture.

Sir,

With respect it is stated that tender for the above mentioned items was advertised in daily mashriq dated 02/12/2016 and daily Aaj dated 06/12/2016.

I have visited your office store section on 14/12/2016 for the tender documents but the concerned person told that we stop issuing tender documents because in the advertisement it is mentioned that firm must have to purchase the documents up to 13/12/2016.

As per KKPRRA rules [(Rule 33(5) and 33 (6))] minimum time for collection of tender documents is 15 days from the advertised date and also tender fee for each item is 1000/- in your tender but it is the KKPRRA notification that only printing charges can be charged for tender documents.

As your tender is very simple and will not take more than 15 minutes to fill up the tender form, So you must have to issue the tender form till the tender opening date And in this way a healthy competition can held which will benefits your department.

Further I assure you that, our inclusion will benefit your department regarding cost and in time supply.

So, kindly may re-advertise this tender or issue a corrigendum and follow the KKPRRA rule which are beneficial for department as well as for the participating firms.

NOTE: A soft copy of this letter also sent on official email of CHAIRMAN BTE (chairman@kpbte.edu.pk) secretary KPK BTE (secretary@kpbte.edu.pk) Hayatabad Peshawar.

THANKS.

Regards,


MUSA KHAN

WORLD WIDE ASSOCIATES.

0337-9200506.

Copy to:

- 1: MD KKPRRA KPK Peshawar.
- 2: Secretary BTE KPK Peshawar.

*Received
21/12/16
D.A. to chair*



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices
(Section 33B & C of NAO 1999)

5-2(75)Pre/A&P/NABHQ/2013

January 08, 2014 /40

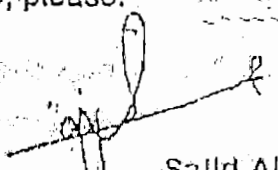
All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (1st attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERITOCRACY

To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive/limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.
2. The above information be communicated to all subordinate offices responsible for procurement processes.
3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 33C of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
Ph: 051-9245537
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
- b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
- c. Addl. Directors Staff, All Regional NABs
- d. Director A&P, All Regional NABs
- e. MD, Punjab Public Procurement Regulatory Authority, Lahore