



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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2nd December, 2015

TL15/0212/3A

Deputy Commissioner,
Deputy Commissioner Office,
District Lakki Marwat,
Khyber Pakhtunkhwa.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Deputy Commissioner, District Lakki Marwat's Quotation Notice for Miscellaneous Items.

Dear Sir,

This is with reference to Deputy Commissioner, District Lakki Marwat's Tender Notice, published in daily "Mashriq" on 27th November, 2015. 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 quantity of supplied items can be increased or decreased without assigning any reason." Any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However, according to KPPPRA Rules 2014, Page 6 & 7, repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

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, "no information regarding issuance of bidding documents is given for the bidders". However, according to KPPPRA Rules 2014, Page 17, 'Bid solicitation documents' clause, a set of tender document should be provided to the bidders. 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.

3. Also, "15 days of response time is not given and the last date for submission of bids is given on 07-12-2015, which is 4 days short", and is violation of KPPPRA 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.



4. Also, "The undersigned reserves the right to reject quotation without assigning any reason".
However, it is violation to KPPPRA Rules 2014, Page 21, Stated as under:

Rejection of bids:- (1) The procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds.

The above information is forwarded for the purpose of avoiding mis-procurement, mentioned KPPPRA Rules 2014, page 22 stated as under; and with request to re-invite the quotation 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, KPPPRA, Peshawar.



کوٹیشن درکار ہیں

مندرجہ ذیل اشیاء برائے دفتر ڈپٹی کمشنر ضلع لکی مروت کی فراہمی برائے سال 2015-16 مطلوب ہیں۔

1۔ مشینری اشیاء کی خریداری	2۔ مشینری اشیاء کی خریداری	3۔ فرنیچر اشیاء کی خریداری	4۔ گاڑیوں کی مرمتی
5۔ مشینری اشیاء کی مرمتی	6۔ فرنیچر اشیاء کی مرمتی	7۔ متفرق اشیاء کی خریداری	8۔ کوئٹہ سپلائی
9۔ بریف سپلائی			

شرائط و ضوابط :- (1) نرخ واضح طور پر ہندسوں اور لفظوں میں لکھنے چاہئیں۔ (2) تمام کوٹیشن ذریعہ دستخطی کو مورخہ 7/12/2015 کو 12:00 بجے یعنی قبل از دوپہر وصول ہونی چاہئیں۔ (3) تمام ٹیکسز سرکاری شرح کے مطابق کالے جائینگے۔ (4) اطمینان بخش سپلائی کے بعد رقم کی ادائیگی کی جائے گی۔ (5) مقررہ تاریخ کے بعد وصول ہونے والے اور مذکورہ شرائط پر پورا نہ اترنے والے کوٹیشنز ناقابل قبول ہونگے۔ (6) ذریعہ دستخطی اس حق کو محفوظ رکھتی ہے کہ بغیر وجہ بتائے کوٹیشن منظور یا مسترد کر دے یا بغیر وجہ بتائے سپلائی کی جانے والی اشیاء میں کمی یا اضافہ کر دے یا کسی بھی آئٹیم کو مکمل طور پر ختم کر دیں۔ (7) ناقص اور غیر معیاری اشیاء سپلائی کرنے پر فراہم کنندہ ذمہ دار ہوگا۔ (8) ہر آئٹیم کیلئے الگ الگ کوٹیشن ہونی چاہئے نیز آئٹیم کا نام لگانے پر واضح درج ہو۔ (9) کامیاب بولی دہندہ گان کو آگے کیا جاتا ہے کہ سپلائی میں کسی قسم کی دھوکہ دہی یا ناگامی کی صورت میں ان کے خلاف قانونی کارروائی کی جائے گی۔ (10) تمام کوٹیشنز مورخہ 7/12/2015 کو 12:00 بجے قبل از دوپہر ذریعہ دستخطی کے دفتر ڈسٹرکٹ پلاننگ آفیسر میں کھولے جائینگے۔

ڈپٹی کمشنر ضلع لکی مروت

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to Corruption

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