



# TRANSPARENCY INTERNATIONAL-PAKISTAN

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30<sup>th</sup> January, 2018

TL18/3001/8A

Secretary,  
Communication & Works Department,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Sub: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Executive Engineer, C&W Buildings Division, Lakki Marwat's E-Bidding Notice for AOM&R/ Special Repair of Various Government Building.

Dear Sir,

This is with reference to C&W Buildings Division, Lakki Marwat's E-Bidding Notice, published in daily "Mashriq" on 27<sup>th</sup> January, 2018. It is observed that the advertisement is in violation of the KPPRA Rules 2014.


As per advertisement, 15 days of response time is not given and the last date for the submission/ opening of tenders is on 05-02-2018, which is 5 days short and is violation of KPPRA Rules 2014, Rule No.34 (1). Stated as under:

*13. Response time. - (1) The procuring agency 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 individual procurement's complexity, availability 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.*

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



GOVERNMENT OF KHYBER PAKHTUNKHWA COMMUNICATION & WORKS DEPARTMENT						
NOTICE INVITING E-BIDDING (Single stage two envelope E-Bidding System)						
1. C&W Division Lakki Marwat Government of Khyber Pakhtunkhwa invites electronic Bids from eligible firms / bidders in accordance with KPRA procurement rules 2014 on single stage two envelope procedure for the following works:						
S. No	Name of work	Required category of PEC	Bid Security	Period of completion	Last date of submission of Bids and time	Date of opening of Technical Bid
1	AOM&R / Special Repair of Various Government Building in District Lakki Marwat for the year 2017-18. SH: Residential/Non Residential Buildings in District Lakki Marwat	C-06	2% of Estimated cost	As per work order	05/02/2018 At 12:00 hours	On the same day at 12:30 hours
1. Bid documents and instruction to bidders can be downloaded up to one day prior to the opening from C&W web site ( <a href="http://www.cwd.gkp.pk">www.cwd.gkp.pk</a> )						
INSTRUCTIONS TO BIDDERS (Single Stage Two Envelope E-Bidding System)						
<p>1. Technical Proposal should accompany the following:</p> <p>a. Bid Security 2% of the Estimated Cost in the shape of call deposit in (original) enclosed with Technical Proposal. The E-bidders who quote their bids/ rates more than 10% below the Engineer's estimate shall also enclose an additional security in the form of call deposit equal to 8% of Estimated Cost in Technical Proposal.</p> <p>b. Enlistment Order of C&amp;W Department (photocopy).</p> <p>c. Renewal of registration for CFY 2017-18 (Photocopy).</p> <p>d. National Identity Card (CNIC Photocopy).</p> <p>e. Valid Pakistan Engineering Council registration copy for current calendar year.</p> <p>f. Form H of the Company / Firm.</p> <p>g. Documents showing general capabilities, financial soundness, general and relevant experience record, personnel capabilities, equipment capabilities and Income Tax / NTN Certificates, etc.</p> <p>h. Any other document to support the technical bid.</p> <p>2. After commencement of work by the successful bidder, the additional security shall be released in four installments i.e. 25% to be released after completing 25% of the project and so on. In case the bidder quotes lower than 10% below the Engineer's Estimate and the bid is accompanied by an additional bid security then bid shall be considered as non-responsive.</p> <p>3. All the bidding will be through E-bidding system. Technical bid should be in sealed envelope clearly marked " Technical Bid" Technical bids shall be submitted through courier before closing time.</p> <p>4. The bidders are required to quote their rates above or below on BOQ/MRS system on both MRS as well as non MRS items.</p> <p>5. Technical evaluation will be carried out with pass / fail threshold. Passing criteria, includes, Registration, Enlistment with C&amp;W-Deptt, Tax Payer proof, Relevant experience in past 05 years, Performance, Technical Personnel, required Equipment, Financial status, Auditors report, managerial capabilities, Litigation status etc. is mandatory.</p> <p>6. Financial bid shall be filed online. Complete bids must reach the concerned offices on or before the fixed date/ time. The CDR or additional security (if required) shall be enclosed in the Technical proposal.</p> <p>7. Any Electronic Bidder who provides incorrect information shall stand disqualified &amp; de-barred for 05 years.</p> <p>8. Time allowed for the completion of the work as specified in the NIT shall start from the issuance of LOA.</p> <p>9. Electronic Bids validity period is 90 days.</p> <p>10. Successful bidder should sign the agreement with the department within Twenty Eight (28) days after issuance of LOA.</p> <p>11. Call Deposit of Scheduled Banks shall be acceptable.</p> <p>12. If the evaluated electronic bid costs of two or more than two bidders are equal then the successful bidder will be declared through draw.</p> <p>13. Technical Bids will be opened after 30 minutes of closing time in the presence of bidders/ representatives who choose to be present.</p> <p>14. Financial electronic bids will be opened on 15/02/2018.</p> <p>15. The employer has the authority to reject any bid or all the bids assigning cogent reasons.</p> <p>16. Bid security of the 1st, 2nd and 3rd lowest electronic bidder for the specific work will be returned by the Department till the approval of bids.</p>						
EXECUTIVE ENGINEER C&W DIVISION LAKKI MARWAT						