



# TRANSPARENCY INTERNATIONAL-PAKISTAN

4-C, Mezzanine Floor, Khayaban-e-Ittehad, Phase VII,  
Defence Housing Authority, Karachi.  
Tel: (92-21) 35390408, 35311897-8,  
Fax: (92-21) 35390410  
E-mail: ti.pakistan@gmail.com  
Website: www.transparency.org.pk

6<sup>th</sup> March, 2018

TL18/0603/3A

Secretary,  
Energy & Power Department,  
Civil Secretariat,  
Peshawar.

**Sub:** Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014 and Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act 2012, Section Officer General, Energy & Power Department, Peshawar's Tender Notice to Procure Equipment.

Dear Sir,

This is with reference to Energy & Power Department, Peshawar's Tender Notice, published in daily "Aaj" on 2<sup>nd</sup> March, 2018. It is observed that the advertisement is in violation of the KPK PPR Act 2012 and KPPRA Rules 2014.

1. As per the advertisement, Energy & Power Department, Peshawar has restricted the bidders to supply Printer of HP brand only, and has not added "**or equivalent**" with it, which is not allowed under KPK PPR Act 2012, Section No. 23 (4). Stated as under;

*23. Bid Solicitation documents --- (4) Each procuring entity shall solicit bids based on performance or functional specifications and not on restrictive or proprietary specifications of a particular brand.*

2. Also, "The department reserves the right to increase or decrease the quantity of the items", 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:*

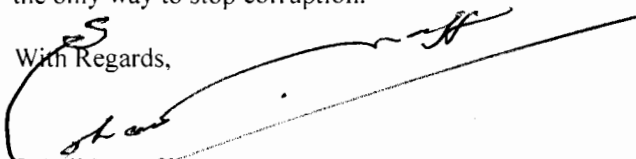
*(i) repeat orders within a period of six months:*

*Provided that it does not exceed fifteen percent of the original contract value;*

The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 54, with request to re-invite the tender 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  
ENERGY & POWER DEPARTMENT**

**TENDER NOTICE**

Energy & Power Department intends to procure following equipment as listed below for its office. Sealed bids are invited by March 18<sup>th</sup>, 2018 till 1200 Hours. Bids will be opened on the same date at 1400 Hours, in the presence of bidders.

Sr. No.	Description	Quantity
1	Computer Desktop corei5	04
2	HP LaserJet printer	03
3	Fire wall Router	01
4	Router	02

**Terms & Conditions**

- Firms are required to offer minimum Three year warranty.
- 2% security deposit of total amount of bid is to be deposited in the shape of Call Deposit in favor of Section Officer General Energy & Power Department.
- Delivery period will be 10 days after issuance of supply order for all items.
- The Price should inclusive of all taxes.
- Taxes will be deducted at source as per government rules.
- Firms registered with Sales Tax collectorate and being on Active Tax Payer list are allowed to participate.
- Price will be effective up to 30-06-2018
- Interested parties may send their Bids / Quotation in sealed covers to the undersigned on address 1<sup>st</sup> Floor, Block A, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar, by March 18<sup>th</sup>, 2018
- The bids will be opened in the presence of the bidders/ their authorized representatives on the same date if they desired so
- Specification of the tender can be downloaded from website [www.kpkep.gov.pk](http://www.kpkep.gov.pk)
- The department reserves the right to increase or decrease the quantity of Items.
- The undersigned reserves the right to accept or reject any or all the tenders without assigning any reason as per/KPPRARule No 47.

**Dilawar Khan** Section Officer General  
Energy & Power Department  
Phone: 091-9223630, Fax: 091-9223624

INF(P) 1084 also available on [www.khyberpakhtunkhwa.gov.pk](http://www.khyberpakhtunkhwa.gov.pk)