



**TRANSPARENCY  
INTERNATIONAL-PAKISTAN**

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8<sup>th</sup> October, 2015

TL15/810/1A

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 Division, Bannu's Tender Notice for Miscellaneous Works.

Dear Sir,

This is with reference to C&W Division, Bannu's Tender Notice published in daily "Dawn" on 5<sup>th</sup> October, 2015. It is observed that the advertisement is in violation of the Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014.

As per the advertisement, "the cost of tender form under Sr. 1 & 4 is given as PRs 14,975/- & PRs 19,992/-", which appears costly in light of the Procurement rule and is violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules 2014, Page 18, the 'Pre-qualification process' Sub- clause (2). The Rule is quoted below for your reference;

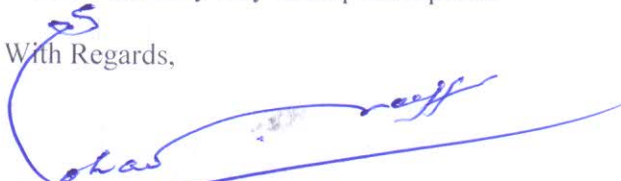
***Pre-qualification process.--(2) The procuring entity shall provide a set of pre-qualification documents to any contractor or consultant, on request and subject to payment of document fee if applicable, which shall not exceed cost of printing and providing the documents.***

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



GOVERNMENT OF KHYBER PAKHTUNKHWA  
COMMUNICATION & WORKS DEPARTMENT

**NOTICE INVITING TENDERS  
(POST QUALIFICATION)**

1. C&W Department (C&W Division, Bannu) Government of Khyber Pakhtunkhwa invites sealed Bids from eligible firms/contractors in accordance with KPPRA procurement rules 2014 on single stage two envelopes procedure for the following works. The bidders should be registered with Pakistan Engineering Council (PEC) in relevant category & field of specialization, enlisted with C&W Department and should have adequate financial soundness, relevant experience, personnel capabilities, required equipment and others as included in ITB.

S/No	Name of Work	Estimated Cost (Rs. in Millions)	Required category of PEC	Bid Security + Stamp Duty	Cost of Tender Form	Period of completion	Last date and time of submission & opening
1.	Construction/Widening/Impvt./Rehabilitation of roads & bridges on need basis in Khyber Pakhtunkhwa, ADP No. 1218/140974 (2015-16) SH - Reconstruction of road from Halalay Adda to Hordi Khel (3-KMs) District Bannu	29,950	C-5	2% of bid cost 18750/-	14975/-	As per Work Order	26/10/2015 At 12:00 hours
2.	Construction/Widening/Impvt./Rehabilitation of roads & bridges on need basis in Khyber Pakhtunkhwa ADP No. 1218/140974 (2015-16) SH - Constn of Road from Dheray to Muzarsani Khel (2-KMs) District Bannu	19,950	C-5	2% of bid cost 18750/-	9975/-	-do-	-do-
3.	Repair/Rehabilitation of District Education Officer (Male/Female) Office SH - District Education Office (Male and Female) District Bannu	3,950	C-6	2% of bid cost 6250/-	1975/-	-do-	-do-
4.	Repair & Rehabilitation of Janda Khel Road and Bannu D/I Khan Road to Nar Dilasa Shah Road District Bannu - ADP No. 1045/150878 (2015-16) Sub heads: i. KM 4 Ganda Khel Road ii. Janda Khel to Titer Khel Link 1 KM iii. (Nar Dilasa Shah Road)	39,983	C-5	2% of bid cost 18750/-	19992.5/-	-do-	-do-
5.	AOM&R/ special repair of C&W District Road in PK-71 & PK-72 Bannu	20,000	C-6	2% of bid cost 18750/-	10000/-	-do-	-do-
6.	AOM&R/ special repair of C&W District Road in PK-70 & PK-73 Bannu	20,000	C-6	2% of bid cost 18750/-	10000/-	-do-	-do-
7.	Constn of 100 Nos Patwar Khanaas in Khyber Pakhtunkhwa, (ADP 2011-12 vide ADP No. 1004/100314 ADP No. 244/100314 (2014-15), SH - Constn of Patwar Khanaas MHA Khel District Bannu SW - Civil Works	3,129	C-6	2% of bid cost 6250/-	1565/-	-do-	-do-

2. Bid documents including Tender Form, BOQ and instruction to bidders can be downloaded up to one day prior to the opening date from C&W website ([www.cw.gov.pk](http://www.cw.gov.pk)).
3. Original Bid Security in the shape of call deposit in the name of Executive Engineer C&W Division Bannu shall accompany the financial bid.
4. The bidders are required to send their bids (technical & financial) through courier in duplicate in separate envelopes clearly marked as Original & Duplicate. The Original shall be sent to the Executive Engineer C&W Division Bannu and the Duplicate to Superintending Engineer C&W Circle Bannu. Both the Original and Duplicate bids shall reach the concerned office before closing date and time.

**INSTRUCTIONS TO BIDDERS  
(KPPRA Single Stage Two Envelopes Bidding Procedure)**

1. Technical bid proposal should accompany the following:
  - a. Certificate that the Bid Security in the shape of deposit at call (original) has been enclosed in financial bid
  - b. Enrollment Order of C&W Department (photocopy)
  - c. Renewal of registration for CPY 2015-16 (Photocopy)
  - d. National Identity Card (CNIC) (Photocopy)
  - e. Pakistan Engineering Council registration copy for calendar year 2015
  - f. Form H of the Company Form
  - g. Documents showing general capabilities, financial soundness, general and relevant experience record, personnel capabilities, equipment capabilities and Income Tax NTN Certificates
  - h. Any other document
2. Cost of tender Form/Documents as mentioned above is payable through Demand Draft or Pay Order (non refundable) in Govt. Budget Head G. Unit P.W. Remuneration. Technical evaluation will be carried out with pass/fail threshold on passing all the fields including PEC Registration, Enrollment with C&W Dept. Tax. Payer proof. Relevant experience in past 05 years, Performance, Technical Personnel, required Equipment, Financial status, Auditors report, Managerial capabilities, Litigation status etc.
3. Technical and financial bids should be in sealed envelopes clearly marked "Technical Bid" and "Financial BID". Complete bids (both original and duplicate) must reach the concerned office on or before the specified time.
4. Financial bid should include Priced BOQ (hand written in figures and words) and Bid Security.
5. Incomplete/ Conditional / Electronic bids and bids received after closing time shall not be entertained. Bids shall be signed by authorized person.
6. In case the successful bid is below the Engineers estimate up to 10%, the bidder shall provide performance guarantee/insurance coverage of a company having at least AA rating from PACRA/ICR or bank guarantee equal to 10% of the estimated cost within 21 days of acceptance letter. In case the bid is more than 10% below the Engineer Estimate, the bidder shall provide bank guarantee as additional security within 14 days equal to the amount of the difference of the quoted bid and the Engineer Estimate to firm up the bid. The guarantee will be discharged on the expiry of the defect liability period of the contract.
7. If the performance bond or bank guarantee (whichever the case may be) is not provided by the bidder in the required period, then offer will be given to the next lowest bidder & to an and the bid security of the defaulter bidder will be forfeited.
8. Bidder should fill the BOQ on Item Rate System, if any item is left blank, it will be considered to be done free of Cost. Only Two (02) digits after the decimal will be considered in the rates.
9. Any bidder who provides incorrect information should be disqualified.
10. Time allowed for completion of the work is as specified in the SIT which will start from the issuance of work order.
11. Bids will be valid for Ninety (90) days.
12. Successful Bidders should sign the agreement with the department within Seven (07) days after acceptance of bid.
13. Call deposit of Sealed Bids shall be acceptable.
14. If the evaluated bid costs of two or more than two bidders are same then the successful bid will be declared through draw.
15. Technical bids will be opened after 30 minutes of closing time in the presence of bidders or their representatives who choose to be present.
16. Financial bids will be opened later, the date will be communicated to technically qualified bidders only.
17. If duplicate copy of any bid differs from its original, then the bid will be declared as non-responsive.
18. The employer has the authority to reject any bid or all the bids assigning coherent reasons.
19. Bid security of the 1st, 2nd and 3rd bidder for the specific work will be retained by the Department up to approval of Tenders.
20. All other terms & conditions/documents can be seen in the office of the undersigned on any working day during office hours.

**Executive Engineer  
C&W Division Bannu**

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