



8th August, 2018

TL18/0808/1A

Secretary,
Higher Education Department,
New Civil Secretariat,
Government of J&K,
Muzaffarabad District,
Azad Kashmir.

**Sub: Violation of the AJ&K Public Procurement Rules 2017, Deputy Director,
Higher Education Planning Cell, Higher Education Department, Muzaffarabad's
Tender Notice for Provision of Furniture/ Equipment.**

Dear Sir,

This is with reference to Higher Education Department, Muzaffarabad's Tender Notice, published in daily "The News" on 4th Aug, 2018. It is observed, the advertisement is in violation of the AJK PPRA Rules 2017.

1. As per advertisement, "Competent Authority reserves the right to ignore/ accept the tender without assigning any reason". which is violation of AJK PPRA Rules 2017, Rule 33 (1). Stated as under;

33. 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.

2. Also, Competent Authority reserves the right to increase or decrease the quantities without assigning any reason as per variation in current year requirement. Any change in tender conditions, specifications and quantity after bid opening by procuring agency is not allowed under Rules. However according to AJK PPRA Rules 2017, Rule No. 42 (c) (iv), repeat orders cannot exceed more than 15% of the original quantity. Stated as under;

42. Alternative methods of procurements.- A procuring agency may utilize the following alternative methods of procurement of goods, services and works, namely:-

- (c) direct contracting: a procuring agency shall only engage in direct contracting if any of the following conditions exist:***
- (iv) repeat orders not exceeding fifteen per cent of the original procurement;***



The above information is forwarded for the purpose of avoiding mis-procurement charge under Rule No 50, and 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,

Justice Zia Perwez
Former Judge of Supreme Court of Pakistan and High Court of Sindh
Trustee- TI-Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Prime Minister, Azad State of Jammu & Kashmir.
2. Chief Secretary, Azad State of Jammu & Kashmir.
3. Director General, NAB, Rawalpindi.
4. Registrar, Supreme Court of Pakistan, Islamabad.
5. Managing Director, AJK PPRA, Azad Kashmir.



**AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR
HIGHER EDUCATION DEPARTMENT**

TENDER NOTICE

Sealed bids/tenders are invited from well reputed Firms/Suppliers registered with GST and Income Tax Department GoP/GoAJ&K for the supply of Science Labs Equipment under Development scheme namely "Provision of Furniture, Equipment for Khurshid National Library (KNL) & Existing Colleges of AJ&K". A complete set of bidding document can be obtained by submitting a written application on original company letter head and payment of a non-refundable fee PKR 5000/- (five thousand only) upto **September 03, 2018** from the office of the Director Planning Cell, Higher Education Department (HED), Room # 18, Block "L" DHO Complex Muzaffarabad in office hours. Detailed terms & conditions, specifications, quantities and list of colleges are provided in the bid document. Bids/tenders complete in all respect should reach on or before **September 04, 2018**, till **1200 hrs** in the Office Chamber of the Secretary Higher Education, Block # 10, Room # 1003 New Civil Secretariat, Chatter Domain Muzaffarabad which shall be opened on the same day at **1230 hrs** by the Departmental Purchase Committee (DPC), in the presence of bidders or their authorized representatives who opt to attend the meeting.

General Terms & Conditions:-

- i) The interested Firms quote their rates on Delivered Duty Paid (DDP) basis at all Districts of AJ&K, i.e. inclusive of all applicable taxes, transportation and all other charges.
- ii) The bidding will be conducted on "Single Stage; One Envelope" Procedure in which bids shall be submitted by the interested firms in single envelope containing, separately, "Technical" and "Financial" proposals. All bids received shall be opened by the DPC on notified date and time mention above, in the presence of the authorized representatives of the bidders.
- iii) Each financial bid must be accompanied by the acceptable CDR/ bank draft not less than 2% of the total bid value drawn on any schedule bank of Pakistan whose branch is located at Muzaffarabad, AJ&K in favor of the Director, Planning Cell Higher Education. On the acceptance of bids, the successful bidder shall submit performance security equal to 10% of the contract price in shape of Bank Draft/CDR within 10 days of issuance of Letter of Acceptance (LoA).
- iv) The bids shall have validity period of 120 days, starts from the date of opening of bids.
- v) Incomplete and conditional offers shall not be entertained.
- vi) The Purchaser can waive in the public interest, any of the conditions stipulated in the tender and competent authority reserves the right to accept or reject any tender in part or full without assigning reason thereof.
- vii) Complete supply of all items to be delivered in to the respective institutions provided in the bidding document within Sixty (60) days, starts from the date of signing of contract.
- viii) Competent Authority reserves the rights to increase or decrease the quantities or ignore/ accept the tender without assigning any reason or as per variation in current year requirements.
- ix) All terms and conditions mentioned in AJ&K PPRA Rules, 2017 shall be applicable on this procurement.
- x) For further information please contact on the following numbers; 05822-960824 / 960005
Fax# 05822-960024.

Note: This Tender Notice is also available on AJ&K PPRA website (www.ppra.ajk.gov.pk)

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**Dy. Director
Higher Education Planning Cell
Secretary/ Member DPC**

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