



May 25, 2023

TIP 2023/2505/1A

Chief Secretary,
Government of Balochistan,
Quetta

Subject: Violation of BPPRA Rules 2014 by Office of Executive Engineer, Public Health Engineering Division, Jaffarabad, Balochistan in the Procurement of Construction of Storage Tank, Providing and Installation of Filter Plant and Supply & Installation of Solar System.

Dear Sir,

The said advertisement is in violation of BPPRA Rules 2014, Rule 40 (Announcement of evaluation reports) & Rule 36 (Clarification of bids). The tender notice appeared in Express newspaper on 23rd May, 2023.

1. In the said tender notice, it is quoted that; *"The tender committee reserves the right to cancel /reject any or all offers without assigning any reason."*

However according to BPPRA Rule No 40; "Announcement of evaluation reports" it is clearly stated that the procuring agency shall announce the results of bid evaluation giving justification for acceptance of lowest evaluated bid, and reasons for non-acceptance of all other bids or rejection of each bid.

The BPPRA Rule No 40 is quoted below for your reference;

40. Announcement of evaluation reports.— (1) Procuring Agencies shall announce and upload on Authority's web the results of bid evaluation in the form of a report giving justification for acceptance of lowest evaluated bid, and reasons for non-acceptance of all other bids or rejection of each bid at least ten days prior to the award of procurement contract.

Provided that a copy of the evaluation report shall be provided to any bidder who may request for the same.

2. Also, in the said tender notice it is stated that; *"The tender committee reserves the right to change the quantities without assigning any reason."*

However according to BPPRA Rule No 36; "Clarification of bids" it clearly mentioned that the bidder shall not be allowed to alter or modify their bids after the expiry of deadline for the receipt of the bid. In case the procuring agency make alterations or changes to the bid it will impact the bidder's bid.

The BPPRA Rule No 40 is quoted below for your reference;

36. Clarification of bids.— (1) No bidder shall be allowed to alter or modify his bid(s) after the expiry of deadline for the receipt of the bids:

Chief Secretary Balochistan is requested to issue directives to the Executive Engineer, PHE Division to rectify the given mistakes and issue a corrigendum in compliance with BPPRA Rules 2014 to avoid mis-procurement.



Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption, and achieve against Zero tolerance against corruption.

Regards,

Advocate Daniyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

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



1. Chief Minister, Government of Balochistan, Quetta
2. Executive Engineer, Public Health Engineering Division, Jaffarabad, Balochistan.
3. MD, BPPRA Balochistan, Quetta.

Note:

TI Pakistan act as whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, Justice Syed Mansoor Ali Shah in his landmark judgment in case of *Ataullah Malik v. Federation of Pakistan* includes following order;

Right to information is another corrective tool which allows public access to the working and decision making of the public authorities. It opens the working of public administration to public scrutiny. This necessitates transparent and structured exercise of discretion by the public functionaries. Article 19-A empowers the civil society of this country to seek information from public institutions and hold them answerable.
PLD 2010 Lahore 605.



 NOTICE INVITING TENDER 		
<p>The Executive Engineer Public Health Engineering Division Jaffarabad invites sealed percentage rates based on Composite Schedule of Rates, 2018 Govt. of Balochistan and non-schedule items on prevailing Market Rates from interested Contractors/Manufacturing Firms for the works mentioned below :- Tender Fee Rs.650/-, BID SECURITY 2% (in Shape of CDR) and Time limit 30-06-2023 for each work.</p>		
S.#	NAME OF WORK/s	E/COST
	CONSTRUCTION OF STORAGE TANK, PROVIDING AND INSTALLATION OF FILTER PLANT AT VILLAGE SABIRALI DIRGAH S/O DATA KHAN U/C SORRAH AND VILLAGE JUSTICE AHMED KHAN DISTRICT JAFFARABAD PSDP NO.5542	
1.	FOR VILLAGE SABIRALI DIRGAH i) SUPPLY & INSTALLATION OF SOLAR SYSTEM 01.Job. TSE222305324933	11,66,989/-
2.	FOR VILLAGE JUSTICE AHMED KHAN SUPPLY & INSTALLATION OF SOLAR SYSTEM 01.Job. TSETSE222305324943	11,66,989/-
<p>Procurement shall be made under BPP Rules 2014. Eligibility of Bidders:- The contractors/firm must have registration with Tax authorities i.e. BRA, NTN & Sales tax department, valid registration with Pakistan Engineering Council (PEC) in relevant Category who have enlistment/ renewal for the year, 2022-23. If the contractor's/firm's representative will participate in the tender then the representative must have the original authority issued by the contractor/firm in his name. Eligibility Criteria :- Minimum three assignments of value not less than estimated cost and Turn over of value not less than estimated cost. Method of Procurement:- Single stage, Single envelope. Bid Security:- The bids must accompany Bid Security in the form of Call Deposit of amount specified above in the name of undersigned from a scheduled bank. Tender Documents:- The bidding documents can be obtained from the office of the undersigned upon payment of bidding document fee (non refundable) (amount mentioned above) through Green Challan C-02725-02-PHED (Revenue Receipt) deposited only in National Bank of Pakistan Dera Allah Yar Branch. (The NIT & Bidding Documents can also be downloaded from www.bppra.org.pk Issuance of Tender Documents:- Tender forms/documents will be issued to the bidders/contractors on publication of Notice in newspapers on presentation of requisite documents. Last date for submission :- The tenders should be submitted on 08.06.2023 till 01:00 P.M at the office of the undersigned. Tender Opening :- All tenders will be opened on same day at the office of the undersigned at 02:00 P.M (In case of public holiday announced by the Government (due to any reason), the tender will be opened the next working day at the same time and venue). Tender committee reserves the right to change the quantities or cancel/reject any or all offers without assigning any reason. Address:- Public Health Engineering Division Jaffarabad at Dera Allah Yar. Phone No.0838-510036 FaxNo.0838-510362</p>		
PRQ No.3950/22-05-2023		EXECUTIVE ENGINEER PUBLIC HEALTH ENGINEERING DIVISION JAFFARABAD AT DERA ALLAH YAR
www.dpr.gob.pk @dpr_gob dpr.gob @dgpr.balochistan		
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