



13th July, 2023

TL2023/0713/2A

Cantonment Executive Officer,
Telephone Industries of Pakistan,
Haripur, Khyber Pakhtunkhwa,

Subject: Violation of PPRA Rules 2004, HOD (Procurement), Telephone Industries of Pakistan, Haripur's Tender Notice for Supply of Solar Inverters and Batteries.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Dawn' newspaper on 6th July, 2023. The said advertisement is in violation of Public Procurement Regulatory Authority (PPRA) Rules 2004, Rule 13 'Response time' and Rule 10 'Specifications'.

1. In the said tender notice, 15 days of response time is not given as the submission/ opening of bids is on 16-07-23, which is 4 days less and does not fulfill the fifteen days of response time as per Rules. Hence, it is a violation of Rule No. 13 of PPRA Rule 2004.

The Rule is quoted below for your reference;

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.**

All advertisements or notices shall expressly mention the response time allowed for that particular procurement along with the information for collection of bid documents which shall be issued till a given date, allowing sufficient time to complete and submit the bid by the closing date:

Provided that no time limit shall be applicable in case of emergency.

(2) The response time shall be calculated from the date of first publication of the advertisement in a newspaper or posting on the web site, as the case may be:

***Provided that for all procurements up to three million Pakistani Rupees, the response time shall be considered from the date of appearance of the advertisement on the Authority's website.**

2. Also, the specific brands are mentioned for Hybrid Inverter, that is, Voltronic, Infini, Tesla, for On- Grid Inverter, Required brands mentioned are Sofar, Goodwe, Growatt and for Battery, required brands mentioned are Sacred Sun, Huawei. Hence, it is a violation of Rule No. 10 of PPRA Rule 2004.

The Rule is quoted below for your reference;

10. Specifications.- (3) In case, the procuring agency is convinced that the use of or a reference to a brand name or a catalogue number is essential to complete, an otherwise incomplete specification, and no other sufficiently precise or understandable way of describing the characteristics of the goods, works or services to be procured is provided, the words "or equivalent" shall be used, after recording specific justifications in writing therein. The procuring agency shall be responsible to define the parameters of "equivalence" for all participants to procurement process, to ensure transparency.



CEO, is requested to notify HOD (Procurement), TIP to rectify the given mistake and issue corrigendum in accordance with PPRA 2004 to avoid mis-procurement under Rule 50.

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, Khyber Pakhtunkhwa Peshawar.
2. Chief Secretary, Khyber Pakhtunkhwa Peshawar.
3. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
4. Secretary, Telephone Industries of Pakistan, Haripur, Khyber Pakhtunkhwa.
5. Managing Director, KPPRA, Peshawar.

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 Ataulah 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.



TELEPHONE
INDUSTRIES OF
PAKISTAN (Pvt) Limited



TENDER NO. 31-2023

For Solar Inverters and Batteries

Sealed bids are invited from reputable Suppliers / Company distributor / Importers for supply of Solar Inverters & batteries as per given quantities and specifications:

S. No.	Description	Qty.	Unit
1	Hybrid Inverter: Hybrid 15KW MPPT, Pure sine wave, compatible with Huawei or sacredsun Lithium-ion battery with parallel kit for 2x 15KW Inverters. Warranty: 2 Years replaceable Warranty Required Brands: Voltronic, Infini, Tes'a	02	Nos.
	OR		
	Hybrid Inverter: 8KW Hybrid Inverter with parallel kit for 4x8KW Hybrid inverters, MPPT, Pure sine wave, compatible with Huawei or sacred sun Lithium-ion batteries. Warranty: 2 Years replaceable Warranty Required Brands: Voltronic, Infini, Tes'a	04	Nos.
	OR		
	Any suitable combination of Hybrid Inverters for 30KW Hybrid system		
2	On-Grid Inverter: 30 KW, 3 Phase, On-Grid Inverter, MPPT, Pure Sine Wave, With Wi-Fi Monitoring module Warranty: 5 Years replaceable Warranty Required Brands: Sofar, Goodwe, Growatt	01	No.
3	Battery: 48 V, 100 Ah, 3000 Life Cycle @ 80 % DOD, Lithium-ion. Warranty: 3 Years Required Brands: Sacred Sun, Huawei	10	Nos.

Terms & Conditions of Bid

Notice: Tender Procedure: Single Stage Two Envelopes Basis.

- Prices: **FOR TIP Haripur**, The supplier shall be responsible to deliver the goods to TIP Haripur on his own cost.
- Bidders can also drop the bids in the Tender Box Placed at TIP Main Gate No 1.
- Bidders must submit their bids as per tender requirement i.e. clearly marked as financial proposal and Technical Proposal. For reference, Tender No. 31 / 2023 must be mentioned on Envelope.
- Price inclusive and exclusive of taxes need to be mentioned separately. (Supplier must be active taxpayer otherwise bid will be treated as cancelled).
- 2% of total amount as a BID SECURITY in shape of Demand Draft, Bank Guarantee, in favor of TIP Haripur in a separate Envelope. Otherwise, bid will not be entertained.
- Bids complete in all respect as per tender / bidding documents and properly filled check list will be considered acceptable.
- Bidding documents available on PPRA website and TIP website. www.ppra.org.pk & www.tip.org.pk
- Price must be quoted in PKR.
- Bid Validity: 45 days.

- Transportation charges up to TIP Haripur shall be borne by vendor.
- Evaluation of supplier will be done as per criteria given in tender documents.
- TIP reserves the right to accept any or all the tenders / bids any time prior to the acceptance of bids as per PPRA rule. Bids complete in all respect should reach the office of the under signed up to **16.07.2023** till 0200 hours and Technical Bids will be opened at 0230 hours on same day whereas Financial Bids of only technically qualified bidders will be opened.
- Tender Document Fee Rs. 2000/- in shape of Demand Draft non-refundable in favor of TIP Haripur, must be provided with Bid.
- Delivery target is 15 Days after placement of order.
- NOTE: Terms & Conditions other than mentioned in TIP tender documents, shall not be accepted.

(Amer Ali Khan)
HoD (PROCUREMENT)
TELEPHONE INDUSTRIES OF PAKISTAN HARIPUR
Tel: 0995-627769
Email: procurement@tip.org.pk
Website: www.tip.org.pk

PID (P) 217/23