



December 17, 2024

TL2024/1217/1A

Directorate Works & Implementation,
Sports & Youth Affairs Department,
Peshawar Sports Complex
Near Saddar Peshawar Cantt,
Government of Khyber Pakhtunkhwa.

Subject: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Directorate Works & Implementation, Sports & Youth Affairs Department Government of Khyber Pakhtunkhwa for Development of Various Playing Facilities, Construction of Cricket Academy and Rehabilitation of Football Ground.

Dear Sir,

This is with reference to your tender notice that appeared in Daily 'Mashriq' Newspaper on 15 December 2024. The said advertisement is in violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule No. 34 'Response Time'.

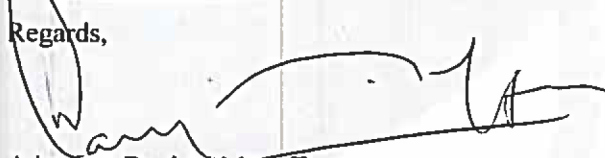
In the tender notice, the submission and opening dates of bids are given on 27.12.2024, where it does not fulfill the fifteen days of response time and is two (2) days less. It is a violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule 34. The Rule is quoted below for your reference;

34. Response time.—(1) The procuring entity 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 contract's complexity, 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 in the national newspaper.

Directorate Works and Implementation, Sports and Youth Affairs Department Khyber Pakhtunkhwa is requested to rectify the given mistake and issue a corrigendum in accordance with Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, to avoid mis-procurement under Rule 54.

Transparency International Pakistan is striving for across-the-board application of the rule of law, which is the only way to stop corruption and achieve zero tolerance against corruption.

Regards,


Advocate Daniyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

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

1. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. Managing Director, Khyber Pakhtunkhwa Public Procurement Regulatory Authority, Peshawar.



Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a whistleblower and operates 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 information pertaining to a public authority a fundamental right, and a three-member bench in the case of Mukhtar Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

"What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution"

**DIRECTORATE OF WORKS AND IMPLEMENTATION
GOVERNMENT OF KHYBER PAKHTUNKHWA**

NOTICE INVITING E-BIDDING
(Single Stage Two Envelope E-Bidding System)

Directorate of works and implementation, sports and youth affairs department invites Electronic bids from the eligible firms/bidders in accordance with KPFLRA procurement rules 2014, amended upto 10/05/2022 on "Single Stage Two Envelope Procedure" for the following works

Sr No	Name of Work	Estimate Cost (M)	Required Category of PEC	Bid Security	Period of Completion	Last Date & Time for Submission of Bid	Date and Time for opening of Technical Bid	Date and Time for opening of financial Bid
A. DEVELOPMENT OF VARIOUS PLAYING FACILITIES AND REPAIR-REHABILITATION OF EXISTING SPORTS								
1	CONSTRUCTION Grounds at GCT D I KHAN	79 045	C4 & Above	2% of the estimated cost and stamp duty (Rs. 18,750)	As per work order 27th Dec. 2024 At 12:00 PM	27th Dec. 2024 At 12:30 PM	27th Dec. 2024 At 12:30 PM	To be announced after approval of technical bid.
2	Construction of Futsal Cricket Academy, Children Playing area and Main Gate at GCT D I KHAN	47 003	C5 & Above	2% of the estimated cost and stamp duty (Rs. 18,750)	As per work order	27th Dec. 2024 At 12:00 PM	27th Dec. 2024 At 12:30 PM	To be announced after approval of technical bid.
3	Construction of Cricket Academy and Repair of Football Ground Floor level at District D I KHAN	28 028	C5 & Above	2% of the estimated cost and stamp duty (Rs. 18,750)	As per work order	27th Dec. 2024 At 12:00 PM	27th Dec. 2024 At 12:30 PM	To be announced after approval of technical bid.

- The Bidders should have active registration with Pakistan Engineering Council (PEC) and a certificate of practice in relevant field of specialization and KPFLRA and conform with Directorate of works and implementation for the year 2024-25.
- Technical evaluation will be carried out as per the criteria detailed in the bid solicitation documents. Bidding documents including instructions to bidders and BOI can be downloaded from www.kpflra.gov.pk website.
- All bids must be accompanied by a Bid Security 2% of the contractor's estimate along with additional security, if applicable as per KPFLRA S.R.O. (111)Val. 1-10-2021-22, in the name of Director (Works), Directorate of Works & Implementation Peshawar Khyber Pakhtunkhwa.
- Bid participation fee 0.01% of the Engineer's Estimate shall be submitted with the bid.
- The bidders are required to quote their rates (plus monthly "AM/FY/DE/LE/W/AI/PAR" for fresh period 30%) against Estimate based on MRS-2024 and N-1 items as well. Only two digits after the decimal point shall be considered for evaluation purpose.
- All other items not mentioned in the BOI but listed in the MRS-2024 shall be paid to the contractor's rate approved by the competent authority with approved rate card.
- The bidding process will be carried out as per KPFLRA S.R.O. (111)Val. 1-24/2021-22.
- The solicitation S.R.O No. (111)Val. 1-25/2021-22 amended vide notification No S.R (111)Val 1-28/2021-24 will also be applicable.
- Successful bidder should sign the contract agreement with the department within the stipulated time.
- All the information and documents provided by the bidder must be based on facts beyond any doubt. Luring analysis / twisting or violation of the provision by misrepresentation, false statement or false document would make a ground for rejection of the bid and will also be liable for disbarment / blacklisting. Any false document or misrepresentation detected during the course of the contract, will render the firm to be black listed and would be reported to the PEC for cancellation of their registration license.
- The bidder shall provide no litigation/verdict with the procuring entity.
- Bids will be valid for a period of ninety (90) days.
- In case evaluated bids of more than two bidders are the more than the successful bid will be declared through open process.
- All prevailing rules of KPFLRA from time to time shall be observed during the procurement process.
- Bid securities of 1st, 2nd and 3rd stage competitive bidders will be retained by the procuring entity till the approval of bids.
- In the event that any of the conditions given for bid submission falls on a public holiday, the activity will be carried out on the following working day.
- The competent authority reserves the right to reject any or all the bids without assigning reasons.
- The advertisement is as available on website www.kpflra.gov.pk and KPFLRA website <http://www.kpflra.gov.pk>.

INF/P/32356 /2024 Deputy Director Works *"This special case of special persons"*
Directorate Works & Implementation, Sports & Youth Affairs Department Khyber Pakhtunkhwa
Address: Peshawar Sports Complex Near Saddar Peshawar Cantt.