



December 16, 2024

TL2024/1216/1A

Executive Engineer Public,
Health Engineering Division Bannu,
Government of Khyber Pakhtunkhwa.

Subject: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Executive Engineer Public Health Engineering Division Bannu Government of Khyber Pakhtunkhwa for Procurement and Installation of, Pressure Pumps and Sanitation Scheme in Various Areas of District Bannu KPK

Dear Sir,

This is with reference to your tender notice appeared in Daily 'Mashriq' Newspaper on 13 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 26.12.2024, 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.

Executive Engineer Public, Health Engineering Division Bannu KPK 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 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 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 of information pertaining to a public authority a fundamental right, and a three-member bench in 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"

Our faith corruption free Pakistan
GOVERNMENT OF KHYBER PAKHTUNKHWA PUBLIC HEALTH ENGINEERING DIVISION BANNU
NOTICE INVITING E-BIDDING
(Single Stage Single Envelope E-Bidding System)

Public Health Engineering Division Bannu invites electronic Bids on (MRS-2024 1st Bt Annual) from eligible firms in accordance with KPPRA procurement Rules 2018 on single stage single envelope procedure for the following works.

S. No	Name of Work	Estimated Cost (Rs.)	2% Bid Security with 5 Days	Time & Date of Tender submission
*S.O. 740119 District Development Initiatives in Bannu (2024-2025)				
1	Installation of Pressure Pumps in Various Areas of PK-09 & District Bannu Sub-Head: Installation of Pressure Pumps (17x6") at U.C Khandar Khan Khel & U.C. Asperha Waziran	9,175	0,256	26-12-2024 AT 1200 hours
2	Installation of Pressure Pumps (6"x4") at Union Council Aral-I & Aral-II	9,962	0,2180	
3	Installation of Pressure Pumps (6"x4") at Union Council Jandha Khel & U.C. Shamshah Khel	8,992	0,1990	
4	Installation of Pressure Pumps (6"x4") at U.C. Sleeman Khandar Khel & U.C. Shabbir Armat Khel	9,210	0,2010	
5	Construction of Community Centers at PK-09 & District Bannu	3,758	0,1301	
6	Sanitation Scheme at U.C. Zeraki Paba Khel, U.C. Khandar Khan Khel & U.C. Asperha Waziran	0,133	0,1412	
7	Sanitation Scheme at U.C. Aral I, U.C. Aral II & U.C. Hiran Khel	2,256	0,1299	
8	Sanitation Scheme at U.C. Khandar Khel & U.C. Shamshah Khel	9,321	0,2052	
9	Sanitation Scheme at U.C. Khandar Khel & U.C. Shamshah Khel	9,321	0,2052	

ADDITIONAL CONDITIONS -

- Contractors will quote their rates electronically and BIDD can be downloaded from PHED website www.phed.gov.pk prior to closing date & time.
- Instructions to bidders and any other information may be obtained from the office of the undersigned prior to closing date of bid submission on any working day.
- All bidders/contractors must have right of bid with KPPRA, otherwise bid will be non-responsive.
- The contractor quoting their bids 10% below Engineer Estimate shall submit bid security 2% only of Engineer Estimate. The contractor quoting their rate more than 10% below and up to 20% below of Engineer Estimate shall submit along with their bids 5% additional security of Engineer Estimated cost in addition to 2% bid security. If the bid is not accompanied with required amount of additional security then bid will be considered non-responsive and 2% bid security shall be forfeited in favour of Government and 2nd lowest bidder and so on will be considered accordingly.
- The contractors quoting bid more than 20% below shall submit an additional security on Engineer Estimated cost equal to the differential amount Engineer Estimate and submitted bid differential amount i.e. if a contractor quote 25% below then bid will submit 25% additional security of Engineer Estimate in addition to 2% bid security along with detail rate analysis.
- In case of more than 20% below bids, if the bid is not accompanied by detail rate analysis and its required additional security (2% bid) shall be considered non-responsive and all other securities with such non-responsive bid shall be forfeited in favour of Government and 2nd lowest bidder and so on will be considered accordingly, in case detail rate analysis submitted with bids is in view of procuring entity not convincing then Head of procuring entity may declare such bid non-responsive without any forfeiture of bid securities and stated reason thereof.
- Bidding/Tender documents must reach to the office of Executive Engineer PHED Division Bannu on or before dated 26/12/2024 at 12:00 Hours, which will be opened on the same day at 1:00 Hours.
- The procurement authority reserved the right to reject any or all bids by assigning urgent reason.
- All other terms & conditions will be as per KPPRA Rules notified time by time.
- CIHR will not be released till completion of tender process.
- In case tender submission and opening date is notified / declared as a public holiday then next working day will be tender submission and opening date.

EXECUTIVE ENGINEER
PHED DIVISION BANNU PH# 0928-9270049
INF(P) 3333/2024