



# TRANSPARENCY INTERNATIONAL - PAKISTAN

Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial,  
Phase VII, Defence Housing Authority, Karachi  
Phone: +92-21-35311898, 35311777  
Email: ti.pakistan@gmail.com  
Website: www.transparency.org.pk

August 07, 2024

TL2024/0807/1A

General Manager HR / Admin / Procurement (WSSP),  
Local Government Complex,  
Plot no 33, Street 13, Sector E-8, Phase VII, Hayatabad,  
Peshawar.

**Subject: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, General Manager HR / Admin / Procurement (WSSP), Local Government Complex, Peshawar's Tender Notice For Supply & Installation, Testing and Commissioning of Pumping Machines**

Dear Sir,

This is with reference to your tender notice appeared in Daily 'Mashriq' Newspaper on 02 August 2024. The said advertisement is in violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule No. 34 'Response Time'.

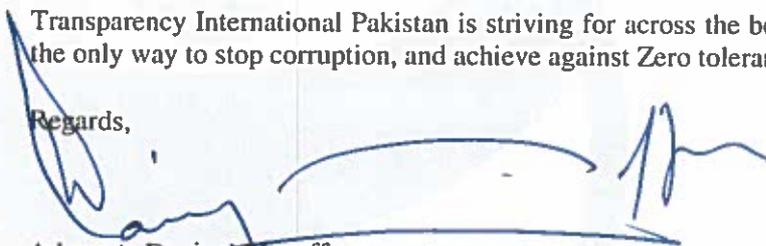
In the tender notice, the submission and opening dates of bids is given on 13-08-2024, where it does not fulfill the fifteen days of response time, and is Three (3) days less. It is a violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule 34. The Rule is quoted 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.*

General Manager HR / Admin / Procurement (WSSP), Local Government Complex, Peshawar is requested to rectify the given mistake and issue 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 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 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, 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”

| WATER AND SANITATION SERVICES<br>PESHAWAR<br>GOVERNMENT OF KHYBER PAKHTUNKHWA   |  |
|---|--|
| <b>RE-TENDER NOTICE</b>   |  |
| Sealed tenders are hereby invited from Income tax, Sales tax register firms, authorized dealers/ suppliers registered with KPRA and Public Health Department for supply, installation and commissioning of approved pumping machinery of tube well as per following details and terms & conditions.   |  |
| Lot # 1   | Supply & installation, testing and commissioning of pumping machine at Pawaka (Saleem Saral tube well) UC-35, PK 75 Peshawar |
| Lot # 2   | Supply & installation, testing and commissioning of pumping machine at Bara Mani UC-30, PK: 75 Peshawar                      |
| <p><b>Term &amp; Conditions</b></p> <ol style="list-style-type: none"> <li>BID and other bid documents can be obtained on written request from the office of the under signed on presenting the KPRA registration and endorsement registration with PHED department in copy and installation of tube well pumping machinery, authorized dealership certificate and providing fee slip of PKR 3000/- (non-refundable) payable in WSSP A/C Bank of Khyber Phase 3 Chawa Hayatabad Peshawar (BANI # PK49 KHYB 0083 0020 0915 7876) immediately after publishing of advertisement in newspaper up to August 13, 2024 or (if it) downloaded from WSSP website E-Bidding portal (<a href="https://wsspeshawar.org.pk/">https://wsspeshawar.org.pk/</a>) in the case of download from the website E-Bidding portal the slip of fee for Rs. 3000/- must be submitted with bid.</li> <li>Two (2) % Bid Security of the total cost in the shape of Call deposit in favor of Chief Executive Officer, WSSP must be accompanied in the bid.</li> <li>The bid meeting is scheduled to be held on 7th August 2024, 3.00 pm at WSSP Conference Room as per below mentioned address, while the interested contractors/firms will be appraised about bid submission on E-bidding system of WSSP and bidder should also apply through E-bidding along with manual submission of bidding documents in near future only submission through E-bidding system will be allowed.</li> <li>The Sealed Bids must be submitted till 11:00 am on or before Tuesday August 13, 2024 preferably through courier services and to be opened by the Bid preparation and evaluation committee on the same day at 11:30 am in the presence of all the bidders or their authorized representatives, who wishes to attend.</li> <li>The bid must be stamped and signed by an authorized person of the firm. All federal and provincial duties/stamp duties including KPRA Taxes will be recoverable as per directives of the government issued from time to time. Firm must be a registered entity with KPRA (Rule 37A of KPRA).</li> <li>Any disfigurement, over writing, manipulation in tender/BID shall be liable to rejection. Other terms and conditions are available in BSD.</li> <li>The Competent Authority reserves the right to reject any or all the bids the reason for rejection shall be communicated to the Contractor firm upon request.</li> <li>The bidders are required to register them self on WSSP website wide URL address: <a href="https://wsspeshawar.org.pk/terms/tender-registration-form">https://wsspeshawar.org.pk/terms/tender-registration-form</a>. W/P/1851/24</li> </ol> |  |
| <p><b>GENERAL MANAGER HR/Admin/Procurement (WSSP),</b><br/>Local Government Complex Plot no 33, Street 13, Sector E-8,<br/>Phase-VII, Hayatabad, Peshawar. Phone#: 091-9219098-121</p>  |  |
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