



10th January, 2024

TL2024/1001/3A

Chief Officer,
Office of the Chief Officer,
District Council,
District Layyah, Punjab.

**Subject: Violation of Punjab Procurement Rules 2014, Chief Officer, Deputy Commissioner/
Administrator, District Council, Layyah's Tender Notice for Purchase of Machinery.**

Dear Sir,

This is with reference to your tender notice appeared in daily 'Khabrain' newspaper on 4th January, 2024. The said advertisement is in violation of Punjab Procurement Rules 2014, Rule 33(1) 'Clarification of Bids'.

In the said tender notice, under p.9, it is stated that; *"The procuring agency has the right to increase or decrease the quantity. The decision of the procuring agency will be final and not be challenged in any court of law."*

However according to Punjab Procurement Rules 2014, No 33(1); "Clarification of bids" it clearly mentioned that the bidder shall not be allowed to alter or modify his bid after the submission of bids. In case the procuring agency makes alterations or changes to the bid it will impact the bidder's bid. Hence it is a violation of Punjab Procurement Rules 2014, No 33(1). Quoted below for your reference;

33. Clarification of bids.– (1) No bidder shall be allowed to alter or modify his bid after the closing time for the submission of the bids.

(2) The procuring agency may, if necessary after the opening of the bids, seek and accept such clarifications of the bid as do not change the substance of the bid.

(3) Any request for clarification in the bid, made by the procuring agency and its response, shall invariably be in writing.

Chief Officer, District Council Layyah is requested to rectify the violation and issue corrigendum in accordance with Punjab Procurement Rules 2014 to avoid mis-procurement under Rule 69.

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. Caretaker Chief Minister, Government of Punjab, Lahore.
2. Chief Secretary, Government of Punjab, Lahore.
3. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
4. Managing Director, Punjab Procurement Regulatory Authority, Lahore.

TRANSPARENCY INTERNATIONAL - PAKISTAN, NON-PROFIT ORGANIZATION AGAINST CORRUPTION


Donations exempted from tax U/S 2 (36) (c) of I. Tax Ordinance 2001



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"

 OFFICE OF THE DISTRICT COUNCIL LAYYAH			
TENDER / QUOTATION NOTICE			
<u>Purchase of Machinery for Sewerage to provide Best Municipal Services to People in its Locality of District Layyah</u>			
<p>The District Council Layyah Intends to purchase machinery of sewerage and solid waste collection detail below to provide best municipal services to people in its locality of District Layyah. Sealed quotations / tenders are required from firms/vendors registered with Federal Board of Revenue (FBR) NTN/GST for the items described above for the financial year 2023-24 Details of Machinery as under:-</p>			
Sr. No.	Name of Machinery	No.	Earliest Money(Rs)
1.	Wench Machine with Base Frame, Rope, Power Transmission, Pulley, Wires, Cooling Arrangements, Piped Buckets and other Accessories etc. Complete Set	01 Set	90000/-
2.	Water Pump size 6" X 6" with Trolley and other Accessories	04 NOS	200000/-
TERMS & CONDITIONS:			
<p>1. Interested parties are required to submit their tenders with technical and financial proposals (two envelopes single step) in separate envelope upto 20.01.2024 at 12:00PM and technical proposals will be opened at 12:30PM on the same date by authorized committee in presence of firms/vendors or their authorized agents. Tender from will be collected from office of the District Council Layyah before 12:00PM on 19.01.2024 after paying a tender fee of 10000/- (Non-refundable).</p> <p>2. Purchase of said machinery / items shall be made in accordance with the Punjab Procurement Rules 2014 (Amended up to date) on SINGLE STAGE TWO ENVELOPS BASIS.</p> <p>3. Tender documents along with qualification, evaluation criteria and standardized specifications of the item/service are available at PPRA website for perusal.</p> <p>4. Financial proposal shall accompany bid money CDA in the name of Deputy Commissioner/ Administrator, District Council Layyah mentioned in the tender/bid documents against each item.</p> <p>5. Bid documents which are incomplete, not sealed, every page not signed, affidavit not attached and late or submitted by other than the specified mode shall be rejected.</p> <p>6. Technical bids shall be opened on the same date after 30 minutes of closing time in the presence of firms / vendors or their authorized representative.</p> <p>7. Finance proposals of only those (technically qualified) vendors / firms shall be opened and the firms/ vendors will be informed accordingly.</p> <p>8. The procuring agency reserves the right to accept or reject all the bids / quotation at any time prior to the acceptance of quotation without explaining any reason.</p> <p>9. The procuring agency has the right to increase or decrease the quantity. The decision of the procuring agency will be final and not be challenged in any court of law.</p> <p>10. Detail terms & conditions will be mentioned in tender documents.</p>			
Chief Officer District Council Layyah		Deputy Commissioner / Administrator District Council Layyah	
		IPL-96	