



22nd September, 2023

TL2023/0922/3A

Executive Engineer
Public Health Eng Division Sheikupura,
Government of Punjab,
Lahore.

**Subject: Violation of PPRA Rules 2004, Executive Engineer, Public Health Engineering
Division, Shiekhupura's Tender Notice for Construction of Underpass.**

Dear Sir,

This is with reference to tender notices appeared in daily 'Dawn said advertisements are in violation of Punjab Procurement Rules 2014, Rule 25(7) 'Bidding documents'.

In the tender notice the fee for purchasing bidding document is Rs 20,000/-, which is relatively a high amount. However as per Punjab Procurement Rules 2014, Rule No. 25(7), procuring agency shall provide a set of bidding documents to any supplier or contractor, on request and subject to payment of price, which means the cost of printing only. Hence, it is a violation Punjab Procurement Rules 2014, Rule No 25(7).

The Rule is quoted below for your reference;

25. Bidding documents.-- (7) The procuring agency shall, on payment of such fee as the procuring agency may determine keeping in view the cost of printing and provision of the documents, provide a set of bidding documents to the prospective bidders.

Secretary HUD&PHED is requested to issue directives to Executive Engineer PHE Department, Sheikupura 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 Danijal 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.



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.

INVITATION FOR BIDS
(Single Stage Two Envelope)
(Published in name of Newspaper and date)

TENDER NOTICE

Sealed tenders / proposals are hereby invited from the technically and financially strong contractors / firms of HUD&PHED and who have renewed with P.E.C for the year 2023-24 in the relevant category and field of specialization which is mentioned in the bidding document to undertake the following project.

S. #	Name of Scheme	Estimated Cost (in Million)	Category	Earnest Money
1.	Construction of Underpass at Katchehri Rasool Nagar Railway Crossing City Sheikhupura (Laying of Sewerage Network-Deposit Work)	99,516	C1 & Above	5% of Estimated Cost

The complete set of tender documents containing detailed terms and conditions, method of procurement, procedure of submission of bids, bid security, bid validity, opening of bid, evaluation criteria, clarification/ rejection of bids, performance guarantee etc. for the project can be obtained from Head Clerk of this office on production of Tender Fee of Rs.20,000/- (non-refundable) in the form of Deposit at Call Receipt (CDR) with the bidder name showing in favor of Executive Engineer PHE Division Sheikhupura 02-10-2023 during office hours.

The Single Stage-Two Envelope bidding procedure will be adopted as per PPRA Rules. The Bid shall be Single Package consisting of TWO separate envelopes containing separately the Technical and Financial proposals accompanied with Bid Security/ Earnest Money as mentioned above in the form of Deposit at Call Receipt (CDR) issued from any of the scheduled banks in favor of Executive Engineer PHE Division Sheikhupura in sealed envelope must be delivered to the Office of Executive Engineer PHE Division Sheikhupura on or before 03-10-2023 till 02:00 PM and the technical bids will be opened on the same day publicly on 2.30 PM at same address in the presence of Tender Opening Committee and bidders' representatives, who opt to attend and whereas the financial bids will be sealed and held for opening after evaluation of technical bids from the competent authority. The Date of Opening of financial bids will be communicated later after evaluation of technical bid.

NOTE:

- As per Government of the Punjab Finance Department Notification No. RO(Tech) FDI 2/83(IV)(P), dated.08.04.05 in case the total tender's amount is less than 5% of the approved estimate (DNIT) amount. The lowest bidder will have to deposit an additional performance security from the scheduled Bank equal to the tender amount below estimated cost within 15 days of issuance of notice.
- As per PPRA Rule 2014, Serial No.56 Chapter-VIII, successful bidder has to furnish Performance Guarantee from any scheduled bank @ 5% (minimum) of the bid amount for the work mentioned above.
- The tender received will not be processed for approval if funds are withdrawn or not release for any reason from the Government.
- The Bids received without bid security/Earnest Money 5% of the estimated amount in the shape of CDR will be rejected. The bid security must be attached with the technical proposal failing to do so will lead to the rejection of bid.
- The Contractors / Firms have to provide CNIC copy, Enlistment / Registration with Punjab Revenue Authority (PRA), PEC License, NTN Certificate & FBR Active Income Taxpayer documents at the time of issuance of Tenders (in original).
- The Bid validity will be for 90-days.
- Unsealed bids shall not be entertained.
- Items against which no rate or price is entered by a bidder shall be considered free of cost and shall not be paid by the employer when executed and shall be deemed covered by rates and prices of the other items in the bill of quantities.

EXECUTIVE ENGINEER
PUBLIC HEALTH ENGG. DIVISION
SHEIKHUPURA

(LHR-G)

IPL-7636