

4th January, 2024

TL2024/0401/2A

Chief Officer,
Office of the Chief Officer,
District Council,
District Rahim Yar Khan, Punjab.

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

Dear Sir,

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

In the tender notice under p.no. 8, it is stated that; "*The Procuring agency has the right to increase or decrease the quantity of any items before and after issuance of supply order.*"

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 Rahim Yar Khan 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.

A NON-PARTISAN, NON-PROFIT COALITION 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 RAHIM YAR KHAN			
QUOTATION NOTICE			
PURCHASE OF MACHINERY.			
The District Council Rahim Yar Khan intends to purchase machinery to provide best municipal services to people in its locality of District Rahim Yar Khan. Sealed quotations 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. Detail of machinery is as under.			
Sr	Name of Machinery	Specification	Earnest Money 2%
1	Supply of Truck Mounted Water Bowser (10,000 Liter Capacity) for District Council, Yar Khan (02 Nos)	Available on bid documents	72000/-
2	Supply of Water Bowser (Capacity 1500 Gallon) with Tractor etc. for District Council, Yar Khan (03 Nos)	Available on bid documents	246500/-
3	Supply of Combined Unit Sewer Sucker & Jetter (6200 Liters Section 4400 Liters) for District Council, Yar Khan (01 No)	Available on bid documents	432000/-
4	Supply of Tractor with Hydraulic Trolley, Pivotal Hook & L.C Sun Shade for District Council, Yar Khan (02 Nos)	Available on bid documents	173100/-
5	Supply of Tractor with Bucket etc. for District Council, Yar Khan (02 Nos)	Available on bid documents	246600/-
6	Supply of Tractor Towed Mechanical Road Sweeper with Tractor etc. for District Council, Yar Khan (01 Nos)	Available on bid documents	91500/-
7	Supply of Cargo Loader Rickshaw (150-CC) for District Council, Yar Khan (09 Nos)	Available on bid documents	74700/-
8	Supply of Hydraulic Lifter Vehicle & Chases for District Council, Yar Khan (01 Nos)	Available on bid documents	300000/-
TERMS & CONDITIONS:			
1-	Interested parties are required to submit their tenders with Technical and Financial proposals (two envelopes single step) in separate envelope up to 17-01-2024 at 01:00 P.M and Technical Proposals will be opened at 01:30 P.M on the same date by authorized committee in presence of Firms / Vendors or their authorized agents.		
2-	Bid documents along with qualification, evaluation criteria and standardized specification of each item can be collected from office of the District Council, Rahim Yar Khan well during office hours till 16-01-2024 after paying a tender fee of Rs.10000/- (Non-refundable) from date of advertisements.		
3-	Said purchase of machinery / items shall be made in accordance with the Punjab Procurement Rules-2014 (Amended up to date) on SINGLE STAGE TWO ENVELOPS BASIS .		
4-	Bid documents which are incomplete, suspicious, not sealed, every page not signed, late or submitted by other than the specified mode shall be rejected.		
5-	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 along with original authority letter on affidavit.		
6-	Financial proposals of only those (technically qualified) vendors / firms shall be opened after evaluation of Technical proposal by the committee concerned, and the firms / vendors will be informed accordingly.		
7-	According to PIRA rule-35, the procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring agency shall upon request communicate to any bidder, the grounds for its rejection of all bids or proposals, but shall not be required to justify those grounds.		
8-	The Procuring Agency has the right to increase or decrease the quantity of any items before and after issuance of supply order. The decision of the Procuring Agency will be final and not be challenged in any Court of Law.		
9-	Detail terms & conditions will be mentioned in bidding documents.		
10-	Rates offered by the Firm / Vender will be applicable for the whole financial year 2023-24.		
11-	All the rates should be in figures and also on words on the bidding documents.		
12-	The rates will be quoted each item separately and will be considered individually.		
CHIEF OFFICER District Council, Rahim Yar Khan		DEPUTY COMMISSIONER Administrator District Council Rahim Yar Khan	