



15th January, 2024

TL2024/1501/3A

Executive Engineer,
Public Health Engineering Division,
Faisalabad, Punjab.

Subject: Punjab Procurement Rules 2014, Executive Engineer, Public Health Engineering Division, Faisalabad's Tender Notice for Rural Water Supply Scheme.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Jang' newspaper on 10th January, 2024. The said advertisement is in violation of Punjab Procurement Rules 2014, Rule 25(7) 'Bidding documents'.

In the tender notice the fee for purchasing bidding document is given 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.

Executive Engineer, Public Health Engineering Division, Faisalabad 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.



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”

| SHORT TENDER NOTICE | | | | | |
|--|---|---------------------------------|---|------------|---|
| Sealed Bids are hereby invited for the work mentioned below from the eligible contractors/ firms have registered with PEC having License for the year 2023-24 | | | | | |
| Sr. No. | Name of Schemes | App. Estimated Cost in Millions | Bid Security 5% of approved cost in Rs. | Time limit | T.S. No. & date |
| 1 | RURAL WATER SUPPLY SCHEME CHAK NO. 275/RUL, TEHSIL & DISTRICT FAISALABAD. | 106.998 | 53,49,900/- | 12- Months | C.E (S) PHE/HD Vldr memo No. 261-E/2023-2405/PAD Dated 04-01-2024 |
| <p>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 noted above project can be obtained from Head Clerk of this office on production of Tender Fee of Rs. 20,000/- (Non-Refundable) for project in the form of Deposit at Call Receipt (CDR) with the bidder name showing in favor of Executive Engineer, PHE Division, Faisalabad up-to 23-01-2024 during office hours from the issuance of this tender notice.</p> <p>The Single Stage-Two Envelope bidding procedure will be adopted as per PPRA Rules vide Circular No. L&M (PPRA) 1001-/2011 dated 15.03.2019. The Bid shall be Single Stage / 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 bank as per PARPA rules in favor of Executive Engineer, PHE Division, Faisalabad in sealed envelope of Technical and Financial on 23-01-2024 till 03:00 PM and the technical bids will be opened on the same day publicly on 03:30 PM at same address in the presence of Tender Opening Committee and bidder's representatives, who appointed to attend and whereas the financial bids will be sealed and held for opening after evaluation of technical bids form the competent authority. <u>The Deposit at Call Receipt (CDR) must be attached with the technical bid, not with the financial bid.</u> The Date of opening of financial bids will be communicated through registered mail.</p> <p>NOTE:</p> <ol style="list-style-type: none"> As per Government of the Punjab Finance Department Notification No RO(Tech) FD 1-2/2017 dated: 16.11.2022 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/quality Assurance 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.36 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. <p><u>The bid security must be attached with the technical proposal failing to do so will lead to the rejection of bid.</u></p> <ol style="list-style-type: none"> No court proceeding against the technical evaluation committee will be allowed. The decision of the committee will be final. The Contractors / Firms have to provide CNIC copy, Registration with Punjab Revenue Authority (PRA), PEC License, NTN Certificate & FBR Active Income Tax Payer documents at the time of issuance of Tenders (in original). The Bid validity will be for 60-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. | | | | | |
| <p>Executive Engineer Public Health Engg: Division Faisalabad</p> | | | | | |