

2nd February, 2024

TL2024/0202/5A

Medical Superintendent,
Gujranwala Medical College (GMC) Teaching Hospital,
Gujranwala, Punjab.

**Subject: Violation of Punjab Procurement Rules 2014, Medical Superintendent, Gujranwala
Medical College Teaching Hospital, Gujranwala's Tender Notice for Procurement of
Miscellaneous Items.**

Dear Sir,

This is with reference to your Letter No. Ref No: 80/ GMC- Hospital dated 26th January, 2024 on TI-Pakistan's letter No. TL2024/1501/2A on the above mentioned subject (ANNEX- A).

Your reply stating that, "*In addition, we being a government institution have to issue supply orders as per availability of budget of the tendered quantity. Therefore, as per PPRA Clause 2. Definition (1)-(sa) we can decrease the quantity of any item as per our budget position in that specific time period whose frame contract is done. As we have done tender for framework contract of different items hence we can increase/ decrease the quantity as per our need. Furthermore, reference given 33. Clarification of bids is not applicable in our case as we have mentioned nothing related to altering/ modifying of bids.*"

It maybe be noted that Punjab Procurement Rules only allow modification in the quantity by not more than 15% which may also be clearly mentioned in the tender notice. Any alterations or changes to the bid will have financial implications on the submitted bids. Also all government departments have to follow the Punjab Procurement Rules.

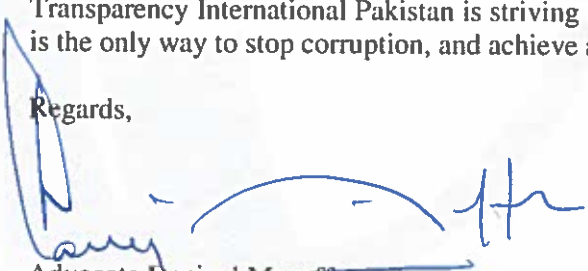
Also under Punjab Procurement Rules, General Provisions CHAPTER-II 'Procurement Planning' regarding Annual Procurement Plan, the Rule states that, a procuring agency shall devise a mechanism for all proposed procurements with the object of realistically determining the requirements of the procuring agency, within its available resources. Hence the questions of availability of funds doesn't arise. The Rule is quoted below for your reference;

8. Procurement planning.— A procuring agency shall, within one month from the commencement of a financial year, devise annual planning for all proposed procurements with the object of realistically determining the requirements of the procuring agency, within its available resources, delivery time or completion date and benefits that are likely to accrue to the procuring agency in future.

Medical Superintendent, GMC Teaching Hospital, Gujranwala is kindly requested to issue directives to the concerned department to clearly mention in future advertisements/ tenders for changing quantities to be done not more than 15% 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”

TENDER NOTICE

GMC Teaching Hospital Gujranwala invites sealed bids for the Financial Year 2023-2024 from the firms having established credentials in terms of technical, financial and managerial capabilities of the items as detailed below:-

Sr. No.	Name of Tender	Last Date & Time for Tender Submission	Date & Time Tender Opening	Tender Fee Non-Refundable	Bids Security (For Each Tender)
1-	Frame work contract of procurement of Laboratory items	25 January, 2024 at 10:00 AM	25 January, 2024 at 10:30 AM	Rs. 2000/-	2% of Estimated Amount
2-	Frame work Contract of Office items	25 January, 2024 at 10:00 AM	25 January, 2024 at 10:30 AM	Rs. 2000/-	2% of Estimated Amount
3-	Frame contract General Store items (Electrical items)	25 January, 2024 at 10:00 AM	25 January, 2024 at 10:30 AM	Rs. 2000/-	2% of Estimated Amount
4-	Frame work contract for repair and maintenance of Printers and Copiers	25 January, 2024 at 10:00 AM	25 January, 2024 at 10:30 AM	Rs. 2000/-	2% of Estimated Amount
5-	Repair & Maintenance of Medical & Lab equipment	25 January, 2024 at 10:00 AM	25 January, 2024 at 10:30 AM	Rs. 2000/-	2% of Estimated Amount

NOTE: Items will be purchased through open tender as per instructions of the Health Department Government of the Punjab Lahore and PPRA Rules 2014 (amended)

ESTIMATED PRICE ARE MENTIONED IN BIDDING DOCUMENTS

1. Interested bidders may get the bidding documents at the address mentioned below by submitting written application and copy of CNIC along with payment of non-refundable fee as mentioned above. Bidding documents and specifications shall be available from the date of advertisement.
2. Single stage, two envelope bidding procedure as per 38(7)(4) PPRA Rules 2014 (amended) shall be applied for this Tender enquiry. The bids shall comprise a single envelope containing two separate envelopes. Each envelope shall contain separately the financial proposal and technical proposal. The envelope should be marked as Financial Proposal and Technical Proposal in bold and legible letters to avoid confusion.
3. Bidding documents in proper sealed envelope must be reached in the office of Medical Superintendent, GMC Teaching Hospital Gujranwala as per above mentioned dates and times, and will be opened by Tender Opening Committee in the presence of contesting contractors or their representatives at 10:30 AM on the same day, bids submitted after prescribed date & time shall not be entertained.
4. The bidders are required to submit the bid security 2% of estimated price along with bid as per Rule 27 of PPRA Rule 2014(amended) for the financial year 2023 - 2024 in case of non-submission of bid security as stated, the bid will be rejected. The estimated price of each tender is mentioned in bidding documents.
5. The bidders are required to submit the company profile including Technical Engineering Managerial capabilities, after sales services, past experience, performance along with their technical bid and other information.
6. The successful Bidders have to signed the contract and furnish 5% Performance Guarantee in the shape of Cash Deposit Receipt (CDR) / Bank Guarantee / Bank Draft / Pay Order in the name of Medical Superintendent, GMC Teaching Hospital, Gujranwala.
7. Hand written bids shall not be acceptable. The bids should be properly bid as per annexure list mentioned in the start of bid.
8. The rates offered must include all applicable taxes.
9. The procuring agency has the right to increase / decrease the quantity of the items and to cancel any item/tender.
10. The participant firms are advised to quote only one offer which they deem carrying the best value for money.

Dr. Iqshad Ullah
Medical Superintendent
GMC Teaching Hospital
Ali Pur Chatha Road, Gondlanwala Village,
Gujranwala

F1 251



ANNEX-A

Office of the
MEDICAL SUPERINTENDENT
Gujranwala Medical College Teaching Hospital
GUJRANWALA

Phone# 6705060 Fax# 055-6705814 E-mail. gmchospitalgrw@gmail.com
No. 801 / GMC-Hospital Dated 26/1/2024

To

ADVOCATE DANIYAL MUZAFFAR,
Trustee/Legal Advisor,
Transparency International Pakistan,
Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial,
Phase VII, Defence Housing Authority, Karachi.

Subject: - **VIOLATION OF PUNJAB PROCUREMENT RULES 2014, MEDICAL SUPERINTENDENT, GUJRANWALA MEDICAL COLLEGE TEACHING HOSPITAL, GUJRANWALA TENDER NOTICE FOR MISCELLANEOUS ITEMS.**

Reference to your office letter No. TL2024/1501/2A dated: 15-01-2024 on the subject cited above.

We would like to bring following points into your kind consideration.

According to PPRA Rule No. 59 c (iv) "Repeat orders not exceeding fifteen percent of the original procurement." Which means that we can give supply orders above 15% of mentioned quantity.

In addition, we being a government institution have to issue supply orders as per availability of budget of the tendered quantity. Therefore, as per PPRA Clause 2. Definition (1) – (sa) we can decrease the quantity of any item as per our budget position in that specific time period whose frame contract is done. As we have done tender for framework contract of different items hence we can increase/decrease the quantity as per our need. Furthermore, reference given 33. Clarification of bids is not applicable in our case as we have mentioned nothing related to altering/modifying of bids.

MEDICAL SUPERINTENDENT
Gujranwala Medical College
Teaching Hospital, Gujranwala.

Copy forwarded for information and necessary action to: -

1. The AMS Purchase, GMC Teaching Hospital, Gujranwala.
2. The Director Finance, GMC Teaching Hospital, Gujranwala.
3. The Budget & Account Officer, GMC Teaching Hospital, Gujranwala.
4. The Purchase officer, GMC Teaching Hospital, Gujranwala.
5. Master File.