



M. Hashim Shahzad &lt;hashim.shahzad24@gmail.com&gt;

**Samples of Tyres for KMC Vehicles**

M. Hashim Shahzad &lt;hashim.shahzad24@gmail.com&gt;

31 May 2023 at 18:15

To: ti.pakistan@gmail.com, "M. Hashim Shahzad" &lt;hashim.shahzad24@gmail.com&gt;

Our Ref No: 786/MR/02/2023.Dated: 31-05-2023.

MOST URGENT (Reminder)

The Chairman,

**Transparency International Pakistan (TIP),**5-C, 2<sup>nd</sup> Floor, Khayaban-e-Ittehad,  
Phase-VII, DHA., Karachi.

Subject: APPLICATION FOR RE-CONSTITUTION AND RE-HEARING OF OUR GRIEVANCES APPLICATION DATED:- 07-04-2023 OF THE K.P.K. PPRA ORDINANCE, AGAINST EVALUATION OF BID BY M/S KHYBER MEDICAL COLLEGE (KMC) / MEDICAL TEACHING INSTITUTION – PESHAWAR TENDER FOR THE PURCHASE OF TYRES FOR VARIOUS VEHICLES-2022-2023, OPENED ON: 14-02-2023.

Ref. Our previous letter No:- 786/MR/01/2023 Dated:- 12-05-2023.

Dear sir,

Refer our last letter no:- 786/MR/01/2023 Dated:-25-05-2023.

We are enclosing herewith following required documents for your kind reference:-

- 1- Bidding Documents
- 2- Bidding Documents after pre-bid meeting.
- 3- Letter from KMC regarding our tyres that these are not fit for buses.
- 4- Our GRC application.
- 5- Our Reply.
- 6- Our Reply.
- 7- GRC decision.

Sincerely yours,

Shahzad Rafiq,  
Partner,  
Rafiq & Company,  
344 A/3, GULBERG-3,  
Lahore.  
0300-8538800.

From:-  
**RAFIQ & COMPANY**  
344 A/3, Gulberg-3, Lahore.  
hashim.shahzad24@gmail.com  
0300-8538800-0320-9438715

----- Forwarded message -----

From: M. Hashim Shahzad &lt;hashim.shahzad24@gmail.com&gt;

Date: Thu, 25 May 2023 at 19:53

Subject: Fwd: Samples of Tyres for KMC Vehicles

To: <info@kppra.gov.pk>, Younas Fahim | Assistant Director Finance <younas.fahim@kth.edu.pk>, Dawood Mahmood | Senior Supply Chain Officer <dawood.mahmood@kth.edu.pk>, Haroon Sarfaraz | Manager Legal <haroon.sarfaraz@kth.edu.pk>, Muharam Khan | Procurement Officer KMC <muharam.khan@kmc.edu.pk>, Mian Saad Ahmad <saadahmedmian@kmc.edu.pk>, Zahoor Ullah | Manager Laundry <zahoor.ullah@kth.edu.pk>, <dean@kmc.edu.pk>, <dispatch@kmc.edu.pk>, <accounts@kmc.edu.pk>, <ti.pakistan@gmail.com>



## **Medical Teaching Institution (MTI)**

Khyber Medical College, Peshawar

Contact No: 091-9221385-8

[www.kmc.edu.pk](http://www.kmc.edu.pk)



## **BID SOLICITATION DOCUMENTS**

**For**

**Procurement of Tyres for KMC Vehicles 2022-23**

**Note:** The prospective bidder is expected to examine the Bidding Documents carefully, including all Instructions, Terms & Conditions, and Specifications etc. Failure to furnish all information required by the Bidding documents or submission of a Bid not substantially responsive to the Bidding Documents in every respect would result in the rejection of the Bid.

Chairman Purchase Committee  
KMC Peshawar

Assistant Manager Procurement  
KMC Peshawar

Senior Finance officer  
KMC Peshawar

Administrative Officer KMC  
Peshawar

Transport Officer  
KMC Peshawar  
End-user

## INTRODUCTION:

Khyber Medical College, Peshawar (MTI) invites. Sealed bids from the eligible bidders for Procurement of Tyres for KMC Vehicles under Open Competitive Bidding under Khyber Pakhtunkhwa Public Procurement Regulatory Authority (KPPRA) Rules 2014.

### 1) INSTRUCTIONS TO BIDDERS:

1. The bids should reach the office of Dean KMC on or before **14/02/2023** at **11:00 AM** will be opened on the same day at **11:30 AM** in presence of the bidders/representatives who choose to attend.
2. A pre bid meeting will be held on dated: **01 / 02 /2023 at 11:00 AM** in the conference room KMC.
3. Any bid received after the deadline for submission of bids shall not be entertained and shall be returned unopened to the Bidder.
4. The bid should be complete in all respect and must be signed by the bidder.
5. All prices quoted must be in Pak Rupees (PKR) and should include all applicable taxes. If not specifically mentioned in the Quotation, it will be presumed that the prices include all the taxes.
6. Bidders are essentially required to provide correct and latest postal/email/web addresses, phone/mobile/fax numbers for actively and timely communication.
7. For any query, clarification regarding Services / Bid Solicitation Documents, the applicants may send a written request at least one day prior to the opening date.
8. The Bidder may after its submission withdraw its bid prior to the expiry of the deadline prescribed for submission of bids. Withdrawn bids will be returned unopened to the Bidders.
9. Any bid not received as per terms and conditions laid down in this document are liable to be ignored. No offer shall be considered if:
  - a. Received without earnest money;
  - b. It is received after the date and time fixed for its receipt;
  - c. The offer is ambiguous;
  - d. The offer is conditional i.e. advance payment, or currency fluctuations etc.;
  - e. The offer is from blacklisted firm in any Federal / Provincial Govt. Deptt:
  - f. Only typed tender on original prescribing letter pad, sealed & signed should be submitted.
  - g. The quoted Price must be pre printed and hand written quoted price will not be acceptable.
  - h. The tenders must be according to this institution's specification;Alternate rates (**Double rates for single Items**) will not be accepted.
10. Usage of correction fluid & corrections are strictly prohibited unless duly initialed.
11. Any erasing / cutting etc. appearing on the offer, must be properly signed by the person signing the tender.
12. Bids will be rejected if the Bid is in some way connected with bids submitted under names different from his own.
13. In case of Bid Tie, the decision will be taken by making toss/draw/Recall sealed quotation in

front of the bidders.

14. Any direct or indirect effort by a bidding firm to influence this institution during the process of selection of a bidder or award of contract may besides rejection of its bid result into its disqualification from participation in this institution's future bids.

## **2) ELIGIBILITY CRITERIA:**

- Bidders must give compliance to the below mentioned clauses as these are mandatory to being eligible for the bidding process. Relevant certificates must be attached.
- Computerized National Identity Card (photo-copy).
- The bidder must be registered with Income / Sales Tax Department, reflected as Active Tax Payer on the list of FBR.NTN and for services KNTN.
- Affidavit, on judicial stamp paper, to the effect that the:
  - a) Firm/Vender has neither been blacklisted by any agency nor is involved in any subversive activities.
  - b) Firm/Vender is/was not involved in any litigation/arbitration and that no work as rescinded in the past.
- The Firm/Supplier should have a documented track record of completing at least two (02) similar assignments (Purchase Order must be attached).
- IT-1 or IT-2 Form showing net annual Turnover of 10 million or above.

## **3. GENERAL CONDITIONS: -**

1. KMC Peshawar shall evaluate the proposal in a manner prescribed in advance, without reference to the price and reject any proposal which does not conform to the specified requirements.
2. Alternative bid shall not be considered and shall be rejected by the Competent Authority.
3. At any time prior to the deadline for submission of bids, KMC Peshawar may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, modify the bidding documents by amendment.
4. If a bid is not substantially responsive, it will be rejected by the Procuring Entity and may not subsequently be made responsive by the Bidder by correction of the nonconformity.
5. The purchase committee KMC may accept or reject any or all of the bids under Rule 47 of KPPRA Rules, 2014.

**Khyber Medical College,  
MTI Peshawar.**

Phone: 091-9221385-8

---

**INVITATION FOR BIDS**

**Dean Khyber Medical College, Peshawar**

invites sealed tenders under National Competitive Bidding for the Procurement of Tyres for KMC Vehicles under rule 6(2)(b) **"Single stage Single envelope procedure"** of KPPRA Rules 2014, from Income / Sales tax, reflected on Active Taxpayer List of FBR.

The tenders complete in all respect must reach the office of Dean KMC by 11:00am on **14/02/2023**, which will be opened at 11:30am on the same day in conference room of KMC in the presence of the procurement committee and the bidders / representatives who may choose to attend.

Competent Authority reserves the right to reject any or all the bids as per provisions contained in Rule 47 of KPPRA Rules 2014.

**4. BID SECURITY:**

Bid security Rs-**100,000/-** in shape of Call Deposit refundable drawn in favor of "Dean KMC Peshawar"

The bid security may be forfeited:

- i) If a Bidder withdraws its bid during the period of bid validity specified by the Bidder on the Bid Form; or
- ii) In the case of a successful Bidder, if the Bidder fails to sign the contract
- iii) If a successful Bidder unable to supply the items after issuance of 3 reminders, order will be placed to the next lowest bidder.

**5. BID VALIDITY:**

- i) The bids should be valid for a period of 120 Days.
- ii) In exceptional circumstances, Khyber Medical College, Peshawar may solicit the Bidder's consent to an extension of the period of validity reasons shall be recorded in writing. The request and the responses there to shall be made in writing. The bid security provided shall also be suitably extended. A Bidder may refuse the request without forfeiting its bid security. A Bidder granting the request will not be required nor permitted to modify its bid, except as provided in the bidding document.

## STATEMENT OF REQUIREMENT AND SPECIFICATIONS OF TYRES

S.No	Description	Specifications	QTY	PRICE
1.	Tyre (10.00 R20) with tube & flap	Michelin, Bridgestone, Dunlop or equivalent For Hino Buses Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply Fresh import/manufactured	42 Tyres	
2.	Tyre (7.50 R16 LT) with tube & flap	Michelin, Bridgestone, Dunlop or equivalent For Hino Caoster Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply Fresh import/manufactured	18 Tyres	
3.	Tyre (195 R15C) tubeless	Michelin, Bridgestone, Dunlop or equivalent For Toyota Hiace Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply Fresh import/manufactured	04 Tyres	
4.	Tyre (195 R14C) tubeless	Michelin, Bridgestone, Dunlop or equivalent For Toyota Hiace Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply Fresh import/manufactured	08 Tyres	
5.	Tyre (195/65/15) tubeless	Michelin, Bridgestone, Dunlop or equivalent For Motor Car Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply Fresh import/manufactured	04 Tyres	

**Note:**

- Rate shall be quoted of superior quality of vehicle tyres.
- Bidders can inspect vehicles during the office hours for cost estimation before submission of Bids.

**6. Award of Contract:**

Contracts shall be confirmed through a written agreement signed by the successful bidder and the MTI /KMC Peshawar.

**7. Payment:**

- a. No advance payment will be permissible.
- b. The payment will be made after successful supply/work and inspection.



## Medical Teaching Institution (MTI)

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Contact No: 091-9221385-8  
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### **AFTER PRE-BID SOLICITATION DOCUMENTS** **For** **Procurement of Tyres for KMC Vehicles 2022-23**

**Note: Bold and Highlighted are changes in BSD's made after Pre-Bid Meeting**

The prospective bidder is expected to examine the Bidding Documents carefully, including all Instructions, Terms & Conditions, and Specifications etc. Failure to furnish all information required by the Bidding documents or submission of a Bid not substantially responsive to the Bidding Documents in every respect would result in the rejection of the Bid.

Chairman Purchase Committee  
KMC Peshawar

Assistant Manager Procurement  
KMC Peshawar

Senior Finance officer  
KMC Peshawar

Administrative Officer KMC  
Peshawar

Transport Officer  
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6. Bidders are essentially required to provide correct and latest postal/email/web addresses, phone/mobile/fax numbers for actively and timely communication.
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  - d. The offer is conditional i.e. advance payment, or currency fluctuations etc.;
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  - f. Only typed tender on original prescribing letter pad, sealed & signed should be submitted.
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**Khyber Medical College,  
MTI Peshawar.**  
Phone: 091-9221385-8

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invites sealed tenders under National Competitive Bidding for the Procurement of Tyres for KMC Vehicles under rule 6(2)(b) **"Single stage Single envelope procedure"** of KPPRA Rules 2014, from Income / Sales tax, reflected on Active Taxpayer List of FBR.

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3.	Tyre (195 R15C) tubeless	Michelin, Bridgestone, Dunlop or equivalent For Toyota Hiace Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply <b>Ratting: 08ply</b> Fresh import/manufactured	04 Tyres	
4.	Tyre (195 R14C) tubeless	Michelin, Bridgestone, Dunlop or equivalent For Toyota Hiace Radial Pattern: RIB with Steel Casing Ply Ratting: 16ply <b>Ratting: 08ply</b> Fresh import/manufactured	08 Tyres	
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**Note:**

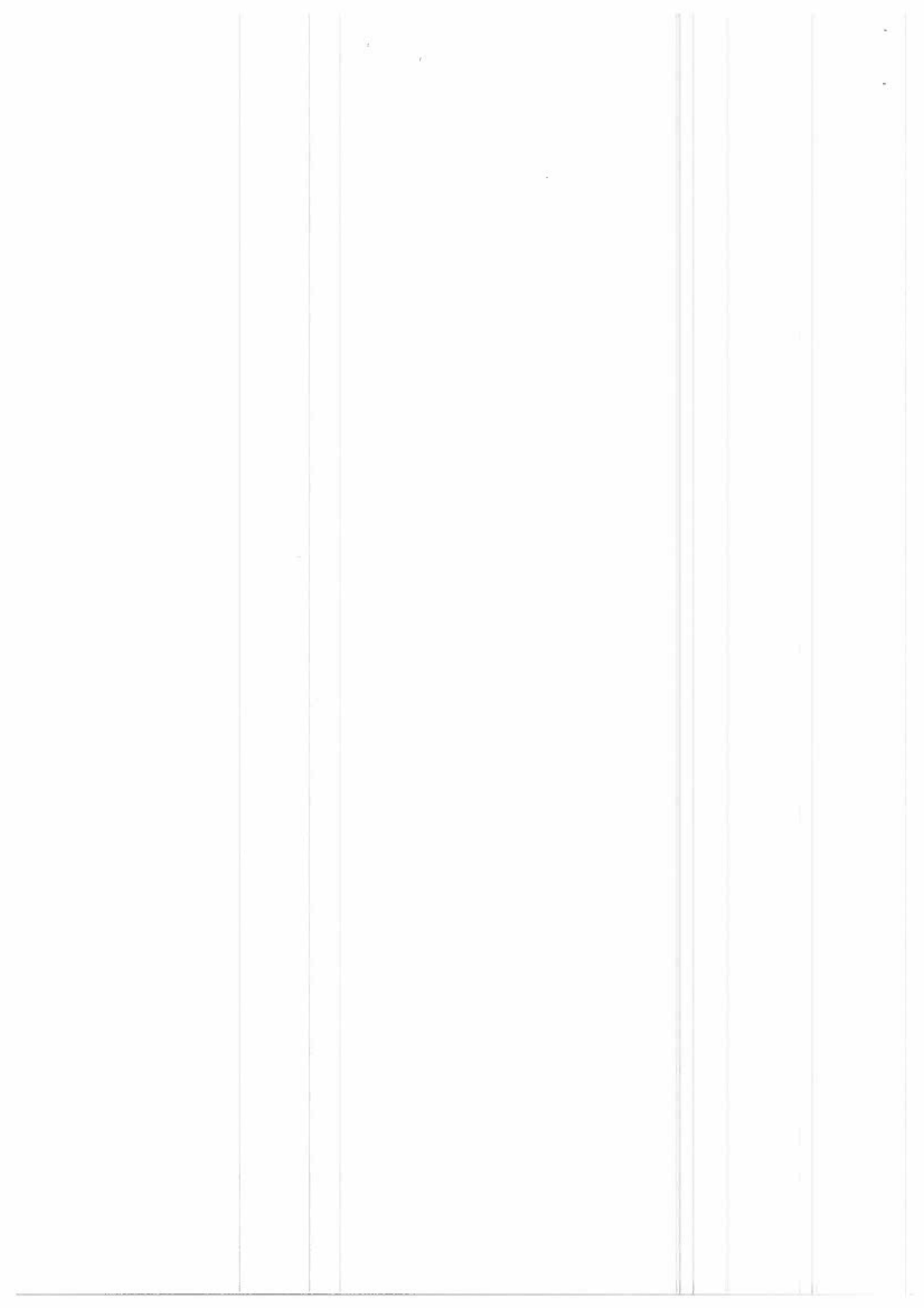
- Rate shall be quoted of superior quality of vehicle tyres.
- Bidders can inspect vehicles during the office hours for cost estimation before submission of Bids.
- Samples may be called for all the above items if required. 

**6. Award of Contract:**

Contracts shall be confirmed through a written agreement signed by the successful bidder and the MTI /KMC Peshawar.

**7. Payment:**

- a. No advance payment will be permissible.
- b. The payment will be made after successful supply/work and inspection.





# **KHYBER MEDICAL COLLEGE, PESHAWAR**



## **PROCUREMENT DEPARTMENT**

Tele. Exchange: 091-9221384-8 (Ext 114)

E-mail: muhammad.khan@kmc.edu.pk

No: 256 /Pro-Deptt/KMC

Dated: 07/04/2023

To

Mr. Shahzad Rafiq  
RAFIQ & COMPANY,  
344 A/3, Gulberg-3, Lahore.  
0300-8538800 / 0320-9438715

Subject: **SAMPLE OF TYRES FOR KMC VEHICLES FOR THE FINANCIAL YEAR 2022-23.**

Memo:

Reference to the above cited subject it is to inform you that M/S Rafiq & Company has submitted samples of their quoted brand for the tender Procurement of tyres for KMC Vehicles. A samples evaluation meeting was called comprising of external Transport & Mass Transit Department and Internal Technical committee of KMC.

After inspection both the technical teams recommended that the said firm provided samples is not fit for the subject vehicles and not recommended for procurement.

The same has also been approved by the Purchase Committee KMC.

  
Chairman Purchase Committee  
Khyber Medical College Peshawar

 Dated: 07/04/2023

No: 257-260 /Pro-Deptt/KMC

Copy:

1. Administrative Officer, KMC Peshawar.
2. Senior Finance Officer, KMC Peshawar.
3. Transport Officer KMC, Peshawar.
4. P.S to Dean, KMC Peshawar.

  
Chairman Purchase Committee  
Khyber Medical College Peshawar





**KHYBER MEDICAL COLLEGE PESHAWAR**  
**OFFICE OF THE DEAN**



No: 2558 /Estt/KMC

Dated: 10/5 /2023

To

Mr. Shahzad Rafiq  
RAFIQ & COMPANY,  
344 A/3, Gulberg-3, Lahore.  
0300-8538800 / 0320-9438715

Subject: - **GRIEVANCE REGARDING PROCUREMENT OF TYRES FOR KMC VEHICLES.**

Reference your e-mails, dated 09/04/2023 & 20/04/2023, received to this office on the subject cited above.

The grievance committee in two different meetings dated 17/04/2023, and 02/05/2023 and final minutes issued vide No.296/Pro-Deptt/KMC dated 10/05/2023, after assessing all relevant records concluded that grievance submitted by M/S Rafiq & Company does not hold any substantial ground and therefore the same is declared invalid and disposed.

DEAN  
KHYBER MEDICAL COLLEGE  
PESHAWAR

Dated: 10/5 /2023

No: 2559-63 /Estt/KMC

Copy forwarded for information to: -

1. Chairman & Members Grievance Committee, KMC.
2. Administrative Officer, KMC Peshawar.
3. Senior Finance Officer, KMC Peshawar.
4. Assistant Manager Procurement, KMC, Peshawar.
5. Transport Officer KMC, Peshawar.

DEAN  
KHYBER MEDICAL COLLEGE  
PESHAWAR





M. Hashim Shahzad &lt;hashim.shahzad24@gmail.com&gt;

## Samples of Tyres for KMC Vehicles

M. Hashim Shahzad <hashim.shahzad24@gmail.com>  
 To: Muharam Khan <muharam.khan@kmc.edu.pk>  
 Cc: store@kmc.edu.pk, dean@kmc.edu.pk, accounts@kmc.edu.pk

20 April 2023 at 23:55

**'Stand up firmly for justice, as a witness to ALLAH, even as against yourselves or your parents or your kin, and whether it be against rich or poor.'**  
**Surah 4:135**

Meaning justice is for all. Everyone should put justice first, even before their family.

**The Prophet MUHAMMAD (Peace Be Upon Him) acted with justice. When He (Peace Be Upon Him) acted with justice he (Peace Be Upon Him) did not only act justly with Muslims but with everybody, it did not matter what religion they were or if they weren't religious at all.**

**Sayings of the Prophet MUHAMMAD (Peace Be Upon Him) , many of these spoke about justice.**

**"The just and fair will be seated on chairs of light before ALLAH. Such people are those who decide with justice and deal justly in matters relating to their families and other affairs entrusted to them.**

**"Justice must not only be done, but must also be seen to be done".**  
**Lord Hewart, the then Lord Chief Justice of England.**

-----

The Chairman (Purchase Committee),  
 Khyber Medical College,  
 Peshawar.

**Subject: SAMPLE OF TYRES FOR KMC VEHICLES FOR THE FINANCIAL YEAR**  
**2022-2023.**

**Ref'ence: Your letter No:- 256/Proc-Dept/KMC Dt:- 07-04-2023.**

Dear sir,

We participated in the tender enquiry and declared 1<sup>st</sup> lowest with the price difference of Rs. 71,67,884.00 as per following rates announced at the time of opening of this tender by the procurement committee. Out of 4 bidders two other bidders were declared as non-responsive.

SR NO	TYRE SIZE	QUANTITY	RATE QUOTED BY RAFIQ & COMPANY	RATE QUOTED BY AL HAMID	DIFFERENCE
1	1000R20	42	78008X42=3276336	198000X42=8316000	119992
2	7.50R16	18	42008X18=756144	139500X18=2511000	97492
3	195R15C	04	26006X4=104024	52660X4=210640	26654
4	195R14C	08	26006X8=208040	50999X8=407992	24993
5	195/65R15	04	22001X4=88004	38700X4=154800	16699
			Total Rs.4432548	Total Rs. 11600432	

**1<sup>ST</sup> LOWEST: Rs.4432548 (RAFIQ & COMPANY).**

2<sup>ND</sup> LOWEST: Rs.11600432 (ABOUT 3 TIMES HIGHER THAN RAFIQ AND COMPANY).

Difference: **Rs. 71,67,885 (HUGE LOSS TO KMC / PUBLIC TAXPAYER MONEY / NATIONAL EXCHEQUE)**

**We are thankful for the GRC and hearing held in your good office dated: 17-04-2023.**

**Please note that as per KMC's bidding document single Stage-Single Envelope procedure was adopted as per Rule No: 6 (2) as follows:**

**The Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014.**

**CHAPTER II**

**METHODS OF PROCUREMENT OF GOODS**

**6. Open tendering open competitive bidding as principal method of procurement.—**

(1) Save as otherwise provided hereinafter and subject to the provisions of rule 10, the procuring entity shall use open competitive bidding as the principal method of procurement for the procurement of goods over the value of Rs. 100,000 (rupees one hundred thousand).

(2) The following procedures shall be permissible for open tendering, namely:

a) single stage, one envelope procedure.-- this method should be used where **cost is the only determining factor**. Each bid shall comprise one single envelope containing financial proposal or offer and **required information in accordance with the bid solicitation documents**. This shall be the standard method of procurement of goods for simple and routine nature and where no technical innovation is involved;

*It is a great principal of law that " When law specifies a particular manner and procedure then it is obligatory for the functionary of the state to adhere to the same and comply with it in all respects and any negligence , failure or omission to do so, invalidates the proceedings on account of which whole superstructure raised on such defective foundation automatically crumbles down.*

But here in this case procurement committee violate their on evaluation criteria and other terms of tender as well as KPPRA Rules 2014 no:- 39 (1):-

Rule No:- 39 (1) Bid evaluation.— (1) All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the bidding documents.

Rule No:- 39 (3) A bid once opened in accordance with the prescribed procedure shall be subject to only those rules, regulations and policies that are in force at the time of issuance of notice for invitation of bids. Discriminatory and difficult conditions. Save as otherwise provided, no procuring entity shall introduce any condition, which discriminates between bidders or that is considered to be met with difficulty. In ascertaining the discriminatory or difficult nature of any condition reference shall be made to the ordinary practices of that trade, manufacturing, construction business or service to which that particular procurement is related. Conformance to the specifications both technical and performance will be the sole parameter for bid evaluation from the eligible bidders.

- Bidders are required to offer most competitive lowest rate of their items, as negotiations on quoted rates are not allowed under the rules

The lowest responsive bid/offer shall be accepted, meeting the technical specifications.

**As per Rule No: 6 (1), (a) in single stage, one envelope procedure tendering procedure COST is the only determining factor and contain all required information in accordance with the bid solicitation documents. This shall be the standard method of procurement of goods for simple and routine nature and where no technical innovation is involved.**

Instead placing purchase order now KMC import some new condition for evaluation after opening of tender and informed us through letter No: **256/Proc-Deptt/KMC Dt:- 07-04-2023 and now on Dt:- 17-04-2023 again GRC again required following difficult information for re-evaluation and are new conditions which is against the law. This conditions/information were never demanded before in Pakistan from us and are not relevant for our tyre trade. Whereas all procurement agencies purchased our offered tyres against the demanded specification (TYRE SIZE, PLY RATING) and brands.**

1- Quality equivalency documents of Super Cargo & General Tyres in comparison with Bridgestone, Michelin or Dunlop from duly recognized body/authority.

2- Life span of Super Cargo & General Tyres.

**Import of a new term which is not mentioned in the bidding documents and which may oust any of the parties contesting bidding process, would amount to discrimination. This arrangement of the procuring agency to award contract to unsuccessful bidder by unilaterally altered after opening of bids, to facilitate unsuccessful bidder on the cost of the actual winner of the bidding process as per rule 6 (1) (a) of KPPRA Act.**

**It is according to law that the bids once opened stood frozen and the underlying terms could not be modified thereafter. That the reasoning assigned in letter No:- 256/Proc-Deptt/KMC Dt:- 07-04-2023 are devoid of the application of such evaluation criteria as mentioned in the bidding documents and any novel criteria which is alien to the tender terms would be an unjustified and arbitrary imposition and that too after the bids were opened and we were already declared lowest. Due to imported and alien report of illegal, uncalled, stranger's inspection is intended to completely change the priority and ranking of bid received and try to snatch Rs. 71,67,885 of KMC & PAKISTAN. The evaluating criteria cannot be changed on the irrelevant and baseless opinion, after bids have been submitted and opened simply.**

**It is highly unjustified to evaluate such tyres subsequently to the tender being floated and opened at their own whims and wishes and self-designed reasons were imposed. KPPRA rules also provides that any information that become necessary for bidding or for bid evaluation after the invitation to bid or issue of the bidding documents to the interested bidders, shall be provided in a timely manner and on equal opportunity basis. Where notification of such change, addition, modification or deletion becomes essential such notification shall be made in a manner similar to the original advertisement. No subsequent variation is allowed in the terms of a tender, especially when a change is to the manifest advantage of an otherwise unsuccessful bidder. Such modification cannot be considered to be transparent and or in the public interest.**

**Procurement rules also provides that no procuring agency shall introduce and condition which discriminates among bidders.**

**Hence any import of new terms, which may oust any of the parties contesting the bidding process, would amount to discrimination. New evaluation conditions were never specified in the tender documents. It is universally recommended principle that the transaction involving public money must be made in the transparent manner for the satisfaction of the people who are the virtual owners of the national exchequer which is being invested in these procurement agencies.**

**Tender Evaluation Committee or the officer inviting the tender shall prepare detailed evaluation report which shall be considered by the Tender Accepting Authority before taking a final decision on the tender. The contract shall be awarded only to a tenderer qualified in accordance with the criteria set out, whose bid has been determined to be responsive to the tender documents and who has offered the lowest price of lowest evaluated price as the case may be. While accepting the bid it will be ensured that the same is economical and reasonable.**

**It is also an admitted and settled principle of law that bidders do have rights to be considered in a lawful manner by the respondents. More so, in view the Rules, wherein the procedure for tendering, evaluation of tenders and the award of the contract has been clearly stipulated. Thus any violation of the Rules could be duly agitated in constitutional jurisdiction.**

**It is a huge loss to the public exchequer as a result whereof public at large/KMC will deprive from this extra amount of Rs. 71,67,885 which could be utilized for their welfare or to purchase other goods and services.**

**KMC intend to buy goods at exorbitant prices and try to ignoring our lowest bid by haphazard, extraneous and irrelevant reasons and manners.**

**Besides such discrimination it would be violative of the Constitution of Pakistan and Procurement rules.**

This fact cannot be ignored that our offered tyres are use in various renowned universities, colleges, government departments and various other departments use these tyres.

Specification shall allow the widest possible competition and shall not favour any single contractor or supplier nor put others at a disadvantage. The specification shall be generic. Specification in a bidding document should be based on relevant characteristics and / or performance requirement. Reference to brand names or similar classification should be avoided as per law of procurement of the country and worldwide. If it is necessary to quote a brand name etc to clarify an otherwise incomplete specification the words "or Equivalent" should be added after such reference. The specification must permit the acceptance of an offer of goods by the bidder which have similar characteristics.

We offered tyres of superior quality, 100% as per your following STATEMENT OF REQUIREMENT AND SPECIFICATIONS OF TYRES mentioned at page 5 of the bidding documents. According to institution's specifications, as per evaluation criteria prescribed in advance and lowest in prices, more durable, long life, fuel efficient, better and high in quality then other offered brands and origins. Our offered tyres already purchased by many customers like Comsats, GCU, NLC, PAK ARMY etc, where highly qualified engineers and technical mechanical staff prefer our both brands as compare with any other brand of the world including KMC's required brands. These two brand tyres SUPER CARGO & GENERAL are tested daily by these valued customers and use all over Pakistan. Our offered brand of tyres also exported to USA, BRAZIL, EUROPE, ARAB Countries and part of the world by the manufacturer:

S.NO	KMC'S DESCRIPTION	OFFER OF RAFIQ & COMPANY
1	TYRE (10.00R20) WITH TUBE & FLAP. 16PLY	Tyres Size: 1000R20, 18PR, WITH TUBE & FLAP.
2	TYRE (7.50R16 LT) WITH TUBE & FLAP, 10PLY	Tyre Size: 7.50R16, 10PR, WITH TUBE & FLAP.
3.	TYRE (195R15C) TUBELESS	Tyre Tubeless Size: 195R15C, 08PR
4.	TYRE (195R14C) TUBELESS	Tyre Tubeless Size: 195R14C, 08PR,
5.	TYRE (195/65R15) TUBELESS	Tyre Tubeless Size: 195/65R15, 04PR,

Our offered tyres specifications are more superior than the required.

#### COMPARISION OF TECHNICAL ASPECTS

	Specs by Rafiq & Company	Specs offered by other bidder	Remarks (Rafiq & Company)
	SUPERCARGO	DUNLOP	
TYRE SIZE	1000R20	1000R20	Same
PLY RATING	18PR	16PR	Superior
L.I	149/146	146/143	Superior
S.S.	L	L	Same

#### COMPARISION OF PURCHASE PRICES BENEFIT TO PAKISTAN AS COMPARE WITH NON-CUSTOM PAID GOODS:

Documents Of Legal Purchase Goods	Illegal / Smuggled Goods
Payment Through Banking Channal Like Cross Cheque / Pay Order / Direct Transfer.	No Payment Record Only Have Copy Of G.D. of Another Person
Sales Tax Invoice	No

Purchase Shown In Buyer's Sales Tax Record In The Monthly Sales Tax Return.	No Record
-	-

Preference Of Domestic Goods Our Smuggled/Non-Duty Paid/Illegal Goods As Well Goods Involved Foreign Currency:  
As per S.R.O: 827/1/2001 dated: 13-12-2001 domestic goods are preferred as compare to smuggled/ imported goods

As per Evaluation Criteria and bidding documents, we fulfilled all conditions as we provided all required information which fulfill 100% Evaluation Criteria:-

- We are lowest in grand total basis as a prime condition of evaluation criteria of KPPRA 's rule No:- 6. Our vested rights has been created as we are lowest in rates and we are fully deserve on merit for this purchase order as we are lowest as per KPPRA rules and KMC's terms & conditions. It is undeniable that our bid is most advantageous to the public money, conforming to the evaluation criteria and other conditions specified in the bidding document.
- We have provided literature of quoted goods brand name :- SUPER CARGO AND GENERAL of Pakistan origin that are used worldwide. Our offered tyres have been found satisfactory in performance at various organizations. Many customers accepted our offered brands tyres against their requirement of BRIDGESTONE / MICHELIN / DUNLOP.

Purchase order is not awarded to us without any ground, which is against the law, unreasonable, bias, favoritism, partiality, undue favor, unfair/arbitrary exercise of discretion by KMC in selecting contracting party resulting a great loss to public exchequer and against the Constitution of Pakistan as all people have equal rights of business and earning.

Regarding quality of tyres, as we assured KMC with our bid the documents of offered tyres as use as a large number of buses and trucks not only in Pakistan but in many developed countries. Offered brands exported to many countries across the world, covering USA, BRAZIL, Europe, Middle East, Asia Pacific and Africa and provides OE for manufacturing bases.

It is a golden principal of law that: "Justice should not only be done, but it should appear to have been done".  
Whereas in our case we find violation of law and Constitution of Pakistan by KMC.

It is therefore, most humbly requested as narrated above and may pass necessary and just order in the greater interest of justice and fair play for healthy and transparent procurement process and in the best interest of our economy and promotion of domestic industry in the light of already prescribed evaluation criteria and according to KPPRA's Rule No:- 6 (2)(a) as lowest price basis, to declare process of inspection as well as letter No:- 256/Proc-Deptt/KMC Dt:- 07-04-2023 as illegal as outside the evaluation criteria and place us purchase order to enable us to supply legal, custom duty paid tyres well in time to save national exchequer for **Rs. 71,67,884.00**

We reserve the right to further explain about the evaluation criteria.

Regards.  
 MUHAMMAD Hashim Shahzad.  
 Manager Sales.  
 E.mail:- hashim.shahzad24@gmail.com

Encl/- Purchase Orders, Evaluation Report

On Thu, 20 Apr 2023 at 14:24, Muharam Khan <muharam.khan@kmc.edu.pk> wrote:

On 2023-04-17 15:24, Muharam Khan wrote:  
 > On 2023-04-09 17:00, M. Hashim Shahzad wrote:  
 >> Our Ref No:- 786/MR/2023.  
 >>  
 >> Dated:- 07-04-2023.  
 >>  
 >> The Chairman (Purchase Committee),





M. Hashim Shahzad &lt;hashim.shahzad24@gmail.com&gt;

## Samples of Tyres for KMC Vehicles

M. Hashim Shahzad &lt;hashim.shahzad24@gmail.com&gt;

9 April 2023 at 17:00

To: Muharam Khan &lt;muharam.khan@kmc.edu.pk&gt;, store@kmc.edu.pk

Cc: dean@kmc.edu.pk, accounts@kmc.edu.pk, "M. Hashim Shahzad" &lt;hashim.shahzad24@gmail.com&gt;

**Our Ref No:- 786/MR/2023.****Dated:- 07-04-2023.**

The Chairman (Purchase Committee),  
Khyber Medical College,  
Peshawar.

**MOST URGENT!**

**Subject:- SAMPLE OF TYRES FOR KMC VEHICLES FOR THE FINANCIAL YEAR**  
**2022-2023.**

Dear sir,

**Thanks for your letter No:- 256/Proc-Deptt/KMC Dt:- 07-04-2023.**

We would draw your kind attention that we are one of the oldest suppliers of tyres and tubes since 1950 and won many tenders in Pakistan and these government departments save billions of rupees due to our most competitive rates offered by us and our supplied goods also satisfy them due to long life and best performance.

KMC, MIT Peshawar opened a bid of tyres on single stage, one envelope basis which is used where COST is the only determining factor for standard goods and no technical innovation is involved as per K.P.K. PUBLIC PROCUREMENT OF GOODS, WORKS AND SERVICES RULES 2014. Our bid was accepted as the lowest and best responsive evaluated bid and called for inspection of our provided samples. Please note that no provision of sample clause was mentioned prior to the pre-bid meeting and which is not a mandatory requirement of bidding documents and not a part of evaluation criteria as set out in the bidding documents and calling of samples is based on discretion after opening of bids. There is nowhere mentioned in the bidding documents that "EXTERNAL TRANSPORT & MASS DEPARTMENT & INTERNAL TECHNICAL COMMITTEE OF KMC will recommended that which sample fit or which is not fit, It is also to be note that no criteria /example / reasons are mentioned in the bidding documents on which a goods may declare fit/not fit for the vehicles. Rejection of our offer is most responsive as per standards defined in the bidding documents and meet all conditions, criteria / methodology of evaluation. These are standard goods (tyres) and our offered tyres are as per international standards as set and recognized by trade associations and professional bodies of the world and meet all standards mentioned in the bidding documents. Our offered tyres are of superior quality, 100% as per your following STATEMENT OF REQUIREMENT AND SPECIFICATIONS OF TYRES mentioned at page 5 of the bidding documents, according to institution's specifications, as per evaluation criteria prescribed in advance and lowest in prices, more durable, long life, fuel efficient, better and high in quality then other offered brands and origins:-

S.NO	KMC'S DESCRIPTION	OFFER OF RAFIQ & COMPANY
1	TYRE (10.00R20) WITH TUBE & FLAP. 16PLY	Brand New Heavy Duty All-Steel Radial Tyres with Tubes & Flaps Size: 1000R20, 18PR, Pattern: A270, STEEL RADIAL, Brand: SUPERCARGO, (J.V. WITH CHAOYANG LONG MARCH TYRE CO. LTD & OTHERS) Made in Pakistan.

		1. Pakistan's First All-Steel Radial Tyre Manufacturer. 2. Suitable for All-Position.
2	<b>TYRE (7.50R16 LT) WITH TUBE &amp; FLAP, 10PLY</b>	Brand New Tyre with Tube & Flap <b>Size: 7.50R16, 10PR,</b> <b>For Coaster Buses,</b> Pattern: SAG, Brand: GENERAL TYRE – Made in Pakistan
3.	<b>TYRE (195R15C) TUBELESS</b>	Brand New Tubeless Tyre <b>Size: 195R15C, 08PR</b> Pattern: BG VANO PLUS, Brand: GENERAL – Made in Pakistan.
4.	<b>TYRE (195R14C) TUBELESS</b>	Brand New Tubeless Tyre <b>Size: 195R14C, 08PR,</b> Pattern: SS, Brand: GENERAL – Made in Pakistan.
5.	<b>TYRE (195/65R15) TUBELESS</b>	Brand New Tubeless Tyre <b>Size: 195/65R15, 04PR,</b> Pattern: BG / EUROSTAR, Brand: GENERAL – Made in Pakistan.

**Profile of Service Long March Tyre Company → → Leading Tyre Enterprise:** Service Industries Limited have entered into a Joint Venture arrangement with **Chaoyang Long March** and Myco Corporation Pakistan. The Joint Venture Company is under the name of **Service Long March Tyres (Private) Limited**.

**Vision →** To be the 'Best Value for Money' TBR Company in Asia for the Western World.

#### **Potential**

- Buses and trucks are the most common medium of transport in Pakistan.
- According to the data of the Pakistan Bureau of statistics, in 2018, the number of registered Trucks reached 277,416 whereas the number of Buses was 236,461.
- The only choice for truck and bus owners is **All Steel Radial Tyres** since these tyres can withstand high load at high speeds which enables these tyres to meet high performance parameters of Heavy Transport Vehicles.
- Pakistan doesn't presently have any manufacturing facility of All Steel Radial Truck & Bus tyres.
- All this requirement is being fulfilled through imports via official and unofficial channels. Imports via unofficial channels have increased most recently.
- Commencement of local manufacturing of these tyres in Pakistan can help to curb the import via unofficial channels to the maximum possible extent.
- Recent trade rift between China & USA and imposition of anti-dumping and countervailing duties by many countries on the import of tyres from China (more than 50% by USA and more than 30% by EU) have forced major tyre manufacturers of China to move out of China to foreign countries to set up production facilities there.
- This is a great opportunity for Pakistan. However, there are many other countries who are also trying for such investment. Pakistan has a great potential to attract these tyre manufacturers to set up manufacturing plants in the country in collaboration with local investors to tap the available export markets and earn huge foreign exchange for the country.

#### **Profile of Leading Tire Enterprise of Pakistan:**

**The Ghandhara Tyre and Rubber Company of Pakistan Limited (GTR)** came into existence in 1963, at Landhi Karachi and commenced its production in July 1964.

The Company was then established by **General Tire International Corporation (GTIC) of USA**, with a total capacity of only 120,000 tyres per annum.

GTIC sold 90% of their shares to the present owner M/s Bibojee Services Ltd. in 1977 and retained 10% of the ownership. In 1985, the Company completed a major expansion, which took the capacity to 600,000 tyres annually.

**GERMAN TECHNOLOGY TESTED IN JAPAN & EUROPE, Continental AG, Germany's number one tyre manufacturer purchased GTIC in 1987.** It provides Technical Assistance to GTR under a program, which includes training of our people, formulations, recipe, and selection of equipment and approved suppliers. GTR under this agreement with Continental is bound to follow all rules and regulations provided by Continental including the given quality standards.

The brand name "GENERAL" used by the Company also belongs to Continental AG. Now this brand name is synonymous with quality and experience in the art of making tyres since being in this market for more than 55 years. Being a Public Listed Company, the current main sponsors of the Company are: (i) Bibojee Services (Private) Ltd. and (ii) Pak Kuwait Investment Company (PKIC) (iii) National Investment Trust (NIT) while the remaining shares are held by the general public.

The name 'GENERAL' carries the highest top of the mind brand name recall in Pakistan when it comes to tyres. The current capacity of the Company stands at 2.4 million automotive tyres per annum. General is producing tyre sizes and patterns that cover almost 80% of the sizes in demand in Pakistan.

It is the first & largest automotive tyre manufacturer in the country producing tyres for cars, light commercial vehicles, trucks/buses, tractors, rickshaw while motorcycle tyre plant has been added with the capacity of one million tyres per annum.

The Company caters four different markets. These are:

The Original Equipment Manufacturers (vehicle assemblers)  
market

The Replacement or the After

Government Departments/Institutions

The Export Market

**QUALITY OF TYRES:** Our offered tyres are world class tyres, which are made with the finest raw material and in the most modern machinery by the expert engineers of the world. These tyres are produced with the assistance and collaboration and according to the standards of foreign manufacturers namely Continental AG of Germany, General Tire-USA, LONG MARCH – CHINA etc. Our tyres are the masterpiece of foreign technology and are ranked on the top of the world tyres due to their best quality and usage. No one can judge the quality of tyres unless they are used as our tyres are passed through the various engineering plants and the high qualified engineers examine/test the quality/ fitness of tyres before they are sold locally and exported to the other countries of the world. Almost all Government Departments of Pakistan prefer and buy our offered brands of tyres.

As per your letter No:- 256/Proc-Deptt/KMC Dt:- 07-04-2023

"After inspection both the technical teams recommended that the said firm provided samples is **not fit** for the subject vehicles and not recommended for procurement."

**Above inspection is without any basis and without any test, trial, knowledge, laboratory test, any reason and expert opinion and totally against the bidding documents, evaluation criteria, facts and law. Whereas these tyres 100% fit according to the required specification of the bidding documents and lowest in prices and are 100% recommended / fit for the required vehicles and also used as an OEM of various local and foreign vehicles manufactures and also exported to many countries ( more than 90 countries) of the world. We have millions of satisfied customers not only in Pakistan but also in and around the world including BRAZIL, USA., South America, Europe, Middle East, Russia, Central Asian Countries etc.**

**Recently our offered tyres purchased by NLC., PAKISTAN ARMY and many other government departments on their similar types of buses, trucks and other vehicles. Daily millions of customers buy these tyres for their vehicles and are quite satisfied.**

We are not satisfied with the inspection as it is against the KPPRA rule no:- 6 (2) (a) and the way of recommendation is totally against the law as no laboratory test or other independent rubber expert was called for this inspection. The inspection is totally invalid as there are huge ambiguities and without any basis, test,

trial, knowledge and reasoning, which is contrary to public interest and detrimental to the national exchequer against the KPPRA Rules and bidding documents.

We offered these ultra-high performance tyres which are according to the present economic conditions of Pakistan and also in favour of the promotion of domestic industrial development, which directly affects the wages of our local labour, foreign exchange reserves, increased employment and prosperity in Pakistan.

It is therefore, most humbly requested that please formulate an independent grievance committee be constituted in this case for Redressal of our Grievances as narrated above and may pass necessary and just order in the greater interest of justice and fair play for healthy and transparent procurement process and in the best interest of our economy and promotion of domestic industry in the light of already prescribed evaluation criteria and according to KPPRA's Rule No:- 6 (2)(a) as lowest price basis, to declare process of inspection as well as letter No:- 256/Proc-Deptt/KMC Dt:- 07-04-2023 as illegal as outside the evaluation criteria and place us purchase order to enable us to supply goods well in time to save national exchequer and public money.

Regards.

MUHAMMAD Hashim Shahzad.

Manager Sales.

E.mail:- hashim.shahzad24@gmail.com

Cell / WhatsApp:- 0320 9438715.

Postal Address:- **RAFIQ & COMPANY,**  
**344 A/3, GULBERG-3,**  
**LAHORE.**

#### **Encl:- CATALOGUE'S**

- 1) GTRC.
- 2) SLM.
- 3) NLC.

(Quoted text hidden)

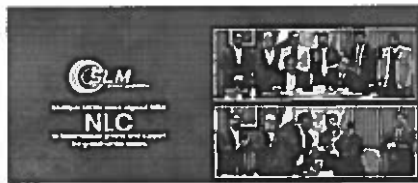
#### **4 attachments**



**GENNERAL TYRE COMPANY PROFILE - 02.jpeg**  
399K



**GENNERAL TYRE COMPANY PROFILE.jpeg**  
595K



SLM-NLC-Website-Banner-06-02-23-1.jpg  
878K



SLM CATALOGUE.pdf  
815K

