

6th December, 2023

TL2023/1206/2A

Election Commissioner,
Office of the District Election Commissioner,
Election Commission of Pakistan,
District Vehari, Punjab.

Subject: Violation of PPRA Rules 2004, Election Commissioner, Office of the District Election Commissioner, Election Commission of Pakistan, Vehari, Punjab's Tender Notice for Procurement of Stationery and Refreshment Items for Training of Polling Staff.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Jang' newspaper on 1st December, 2023. The said advertisement is in violation of Public Procurement Regulatory Authority (PPRA) Rules 2004, Rule 31(1) 'Clarification of bids'.

In the said tender notice, it is mentioned under p (13) that; *"The procuring agency reserves the right to increase or decrease the number of tender items being supplied/ purchased at any stage as per requirement."*

As per PPRA 2004, Rule No. 31(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 PPRA Rule No 31(1). The Rule is quoted below for your reference;

31. Clarification of bids.- (1) No bidder shall be allowed to alter or modify his bid after the bids have been opened. However the procuring agency may seek and accept clarifications to the bid that do not change the substance of the bid.

District Election Commissioner, district Vehari is requested to rectify the violation and issue corrigendum in accordance with PPRA 2004 to avoid mis-procurement under Rule 50.

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. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad.
2. Managing Director, PPRA, Islamabad.



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”



**No.F.5(3)/2023-Admn-DEC
OFFICE OF
THE DISTRICT ELECTION COMMISSIONER**

House No.152, G-Block, Vehari
Dated the 28th November, 2023.

TENDER NOTICE FOR PROCUREMENT OF REFRESHMENT AND STATIONERY FOR TRAINING OF POLLING STAFF IN CONNECTION WITH UPCOMING GENERAL ELECTIONS.

Sealed tenders / bids / rates are invited from the reputed firms registered with Sales Tax and Income Tax Departments on the basis of **Open Competitive Bidding Method of Single Stage (One Envelope Procedure)** in terms of Rule No. 36 (a) of the Public Procurement Rules 2004 for the supply of Stationery items and Refreshment / Meals for Polling Staff during their Trainings in connection with upcoming General Elections.

Sr. No	Description/Item	Bid Submission date & time	Bid opening date & time
01	Refreshment for trainings of Polling Staff	08-12-2023 At 10:30 AM	08-12-2023 At 11:00 AM
02	Stationery for trainings of Polling Staff		

Terms & Conditions:

- This Tender is on the basis of Open Competitive Bidding Method of Single Stage (One Envelope Procedure) in terms of Rule No. 36 (a) of the Public Procurement Rules 2004.
- The detail of tender items, specifications and other terms and conditions mentioned in the Tender Form which can be collected from Office of the District Election Commissioner, Vehari House No.152, G-Block Near Telephone Exchange, Vehari during office hours against a price of Rs-1000/- (Non-Refundable)
- The sealed Bids (in separate) for Refreshment and Stationery must reach in this office on OR before **08-12-2023 at 10:30 AM**
- The Bid Security, 5% of estimated price, in the form of 'CDR in favor of DDO, District Election Commissioner, Vehari is required to be submitted with the Financial Bid, without which the offer shall be rejected, being non-responsive.
- Bidder should quote price in Pak Rupees for as tender notice (inclusive of all taxes/charges)
- Bid validity should be of 120 days from the tender opening date.
- Each successful Firm/Individual will furnish a Performance Guarantee in the shape of CDR or Bank guarantee of the 10% of the contract amount on the award of contract.
- Bidders should submit a "certificate" that the company is not blacklisted or defaulter by any Government office of Pakistan.
- Training will be conducted in batches in different venues in Vehari City and in its Tehsil level which shall be intimated accordingly.
- The Firm/Supplier shall provide refreshment / stationery at different venues located across the District Vehari.
- Quantity & Quality of food / refreshment will be checked and suitable penalty will be imposed on sub-standard quality.
- Payment will be made after the completion of trainings and preferably after availability of budget.
- The Procuring Agency reserves the rights to increase or decrease the number of tender items being supplied / purchased at any stage as per requirement.
- The Procuring Agency/Authority, has the right to cancel / withdraw the procurement process at any stage without giving reasons according to the PPR Rules-2004

Election Commission of Pakistan
House No.152, G-Block Near Telephone Exchange, Vehari
Phone No. 067-3365919

PID(L)1726