



TRANSPARENCY INTERNATIONAL - PAKISTAN

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19th July, 2023

TL2023/0719/4A

Chairman,
The Higher Education Commission,
Government of Pakistan,
Head Office, Sector H-9, East Service Road,
Islamabad.

Subject: Violation of PPRA Rules 2004, Director (PERN), Higher Education Commission (HEC), Islamabad's Tender Notice for the Acquisition of PERN POPS Nationwide Electrical Power, HVAC, Civil Infrastructure/ Equipment Extended Warranty/ Service for 5 Years.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Jang' newspaper on 16th July, 2023. The said advertisement is in violation of Public Procurement Regulatory Authority (PPRA) Rules 2004, Rule 33(1) 'Rejection of bids'.

As per advertisement it is stated that; "HEC reserves the right to cancel the tender without assigning any reason at any stage."

As per PPRA 2004, Rule No. 33, the procuring agency shall upon request communicate to any bidder who submitted a bid or proposal, the grounds for its rejection but is not required to justify those grounds. Hence, it is a violation PPRA Rule No 33.

The Rule is quoted below for your reference;

33. Rejection of bids.- (1) 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 supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds.

Chairman, HEC is requested to kindly notify the Director (PERN), HEC to rectify the given mistake 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. Principal Secretary to PM, PM House, Islamabad
2. Chairman, Prime Minister Inspection Commission, PMIC, Islamabad
3. Managing Director, PPRA, Islamabad.

A NON-PARTISAN, NON-PROFIT COALITION AGAINST CORRUPTION

Donations exempted from tax U/S 2 (36) (c) of I. Tax Ordinance 2001



TI Pakistan act as 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, Justice Syed Mansoor Ali Shah in his landmark judgment in case of Ataulah Malik v. Federation of Pakistan includes following order;

Right to information is another corrective tool which allows public access to the working and decision making of the public authorities. It opens the working of public administration to public scrutiny. This necessitates transparent and structured exercise of discretion by the public functionaries. Article 19-A empowers the civil society of this country to seek information from public institutions and hold them answerable. PLD 2010 Lahore 605.

Higher Education Commission Pakistan



TENDER NOTICE

PERN POPS Nationwide Electrical Power, HVAC,
Civil Infrastructure/ Equipment Extended Warranty/ Service

Sealed bids are invited from registered firms having good repute and having SECP, Income Tax and Sales Tax certificates/ registration for the acquisition of PERN POPS Nationwide Electrical Power, HVAC, Civil Infrastructure/ Equipment Extended Warranty/ Service for five years.

A bidding document containing detailed terms and conditions is available at HEC website www.hec.gov.pk, however, interested bidders shall deposit Rs. 1000/- (non-refundable) as tender document fee in HEC Account No. 17427900133401 of HBL H-9 Branch, Islamabad. Deposit receipt shall be provided at the time of bid submission along with bidding documents.

The bids, prepared in accordance with the instruction of RFP, must reach Higher Education Commission on or before **August 08, 2023 (Tuesday)** at **1:30PM**.

Earnest money in a sealed envelope marked as "Earnest Money", having amount of Rs. 260,000 (refundable) in the shape of a bank draft in favor of Director General (Finance), HEC, must be attached with the bid. The last date for submission of the tender is August 08, 2023 at 13:30 hours and the tender will be opened on the same day at 1400 hours in the presence of bidders or their authorized representatives. The pre-bid meeting will be held on July 25, 2023 (Tuesday) at HEC Lecture Hall at 1400 hours.

This tender is being executed under PPRA Rule 36 (b) "Single Stage - two Envelope". This advertisement is also available on the PPRA website <http://www.ppra.org.pk> and the HEC website www.hec.gov.pk. HEC reserves the right to cancel the tender without assigning any reason at any stage.

Director (PERN)
Higher Education Commission
Sector H-9, Islamabad.
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