



30th January, 2024

TL2024/0130/2A

Executive Engineer,
Pakistan Water and Power Development Authority (WAPDA)
Chashma Barrage Division,
District Mianwali,
Punjab.

Subject: Violation of PPRA Rules 2004, Executive Engineer, Pakistan Water and Power Development Authority (WAPDA), Chashma Barrage Division, District Mianwali's Tender Notice O&M Works.

Dear Sir,

This is with reference to your tender notice appeared in daily 'Dunya' newspaper on 26th January, 2023. The said advertisement is in violation of Public Procurement Regulatory Authority (PPRA) Rule 33(1) 'Rejection of bids'.

In the said tender notice, it is stated that; *"This Competent Authority reserves all the rights to accept or reject any bid without disclosing any reason."*

As per PPRA 2004, Rule No. 33, the procuring agency shall upon request communicate to any supplier or contractor 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.

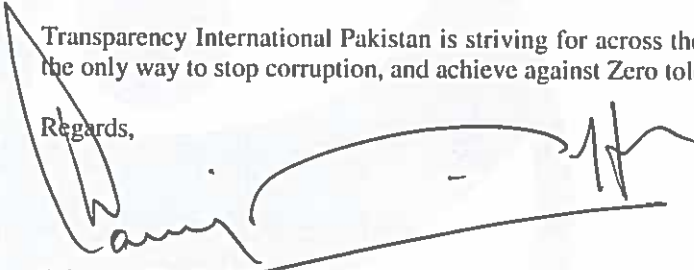
The Rule is quoted below for your reference;

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.

Executive Engineer, WAPDA, Chashma Barrage Division, 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”

INVITATION FOR BIDS Bid Reference No.02/2023-24		
1. The Employer, Pakistan Water and Power Development Authority through Chief Engineer & PD, CBSORSC Project, WAPDA Chashma, District Mianwali invite sealed bids on item rate basis from the eligible firms for following works CHASHMA BARRAGE O&M WORKS		
Sr No	Name of Work	Contract Period
1	SUPPLY OF DEFICIT QUANTITY OF REVEINMENT STONE ON VARIOUS BARRAGE SPURS / GUICE BANKS AND EVERGET FLOOD PROTECTION WORKS THROUGH SIMPLE STONE DUMPING AND / OR WIRE CRATES FLAGING DUMPING IN WATER AT ANY ELIGIBLE LOCATION	150 Days (Contractor Shall be bound to Execute Emergent Flood Works)
2	PROCUREMENT OF OFF-SIZE WIRE ROPES FOR CHASHMA BARRAGE GATES, BARRAGE LIGHTS, PAINT MATERIAL FOR GATES AND RAILING, BARBED WIRE / WIRE NET FENCING etc	60 Days
Bid Security	2% of bid amount (in shape of COR / Bank Draft) in favour of Chief Engineer & PD, CBSORSC WAPDA Chashma Mianwali	
Bid Document Fee	Rs 1000/- each (Non-refundable) to be deposited in CE & PD Account No 365-30-3 Trid CBSOJ LRA Project WAPDA Chashma Mianwali Commercial Bank Branch D-2 Mianwali	
Bid form can be purchased	Office of Executive Engineer, Chashma Barrage Division, WAPDA Chashma District Mianwali	
Last date and time of issuing of Bid	13/02/2024 (during office working hours)	
Date and time of receiving bids	14/02/2024 From 11:00 to 11:30 hrs	
Place, Date and time of Opening Bids	Office of Director (Technical) Chashma Barrage Project, WAPDA Chashma Dist. Mianwali At 12:00 Hrs on 14/02/2024	
Eligibility of Bidders: Bidding documents will be issued only to the firms/Contractors having following documents: i. Firms registered with Pakistan Engineers Council (PEC) in Category C-6 and above having codes CE-01, CE-02, CE-03 and CE-10 for the year 2023-24 ii. In case of representative, original authority letter (in original) on Judicial stamp paper of Rs. 100/- is necessary from the Owner of firm iii. Documentary evidence of two similar nature works executed during last 05 years duly accompanied by Employer's Completion Certificate for these works iv. Registration with FBR/Board of Revenue (FBR) and availability on Active Taxpayer List for the year of 2023-24 will be required Note: a) The Competing Authority reserves all the rights to accept or reject the any bid without disclosing its reasons. b) This bid notice is also available on WAPDA & PPRA Websites also c) Any other information required, pertaining to advertised works, can be collected from the office of the undersigned during office working hours one day prior to issuance of bids of respective works d) All rights reserved under PPRA Rules e) Contact at No 0459 223016 & 0459 376818 for information		
Executive Engineer Chashma Barrage Division		
This notice is also available at PPRA Website, www.ppra.org.pk PRD(1) 2338 Website: www.wapda.gov.pk PRD(1) WAPDA 02/2023-24 Doubt for Dilmer Basha & Mohammad Dams		