



TRANSPARENCY INTERNATIONAL - PAKISTAN

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August 27, 2024

TL2024/0827/1A

Medical Superintendent,
DHQ Teaching Hospital Timergara.
Khyber Pakhtunkhwa.

Subject: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Medical Superintendent, DHQ Teaching Hospital Timergara Khyber Pakhtunkhwa, Tender Notice For Supply of Sehat Sahulat Card Medicines, Surgical, Disposables, Medical Devices, Non-Drug Items, Cotton & Related Items Fy-2024-25

Dear Sir,

This is with reference to your tender notice appeared in Daily 'Dunya' Newspaper on 23rd August 2024. The said advertisement is in violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule No. 34 'Response Time'.

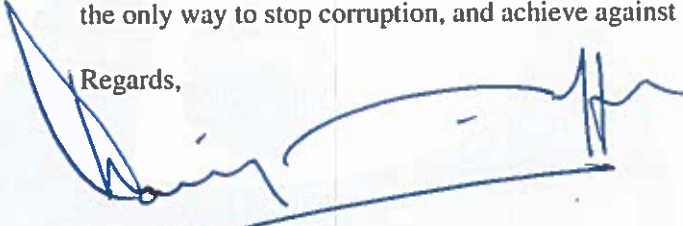
In the tender notice, the submission and opening dates of bids is given on 03-09-2024, where it does not fulfill the fifteen days of response time, and is Three (3) days less. It is a violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Rule 34. The Rule is quoted below for your reference;

34. Response time.---(1) The procuring entity may decide the response time for receipt of bids or proposals including proposals for pre-qualification from the date of publication of an advertisement or notice, keeping in view the contract's complexity, and urgency. However, under no circumstances the response time shall be less than fifteen days for national competitive bidding and thirty days for international competitive bidding from the date of publication of advertisement or notice in the national newspaper.

Medical Superintendent, DHQ Teaching Hospital Timergara Khyber Pakhtunkhwa, Peshawar is requested to rectify the given mistake and issue corrigendum in accordance with Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, to avoid mis-procurement under Rule 54.

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. Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. Managing Director, Khyber Pakhtunkhwa Public Procurement Regulatory Authority, Peshawar.



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
MEDICAL SUPERINTENDENT DHQ TEACHING HOSPITAL
TIMERGARA DIR LOWER
SELECTION OF VENDOR FOR SEHAT SAHULAT CARD MEDICINES,
SURGICAL, DISPOSABLES, MEDICAL DIVICES, NON-DRUG ITEMS,
COTTON & RELATED ITEMS FY-2024-25
FOR DHQ TEACHING HOSPITAL TIMERGARA DIR LOWER

In compliance with the Punjab Public Procurement Act 2012 and Punjab Public Procurement Regulations 2014, Sealed Bids are invited from the Vendors being on Active Tax Payer List of FBR bearing valid Drug Sale License under EP Drug Sales Rules 1982 (as amended in 2017) for the supply of medicines, surgical disposables, medical devices, non-drug items, cotton and related items for Sehat Sahulat Card Patients round the clock on day to day basis during the financial year 2024-2025 through SINGLE STAGE TWO ENVELOPES bidding procedure as per rules 06(1)(b) of PPPRA rules 2014.

1. Any offer received not as per terms & condition of the tender enquiry / bidding document of this Hospital, framed under PPPRA Act 2012 and 2014 rules framed there under, Government of the EP, shall not be entertained. 2. Quotation and the offered rate must be written both in words & figures. An authorized person of the bidding entity shall sign & stamp all pages of the bid. 3. The bidders are requested to give their highest possible discount on Maximum Retail Price (MRP) for medicines and current market rates for surgical disposables, medical devices, non-drug items, cotton and related items for Sehat Sahulat Card Patients because no negotiations on quoted rates/ price are allowed under the PPPRA rules, 2014. 4. The Bid shall comprise of a single sealed package containing two separate sealed envelopes (each envelope shall contain separately the Financial Proposal and Technical Proposal). The envelopes shall be sealed and marked as "TECHNICAL PROPOSAL" and "FINANCIAL PROPOSAL" in bold and big letters to avoid confusion. 5. Initially only the envelope marked as "TECHNICAL PROPOSAL" shall be opened to evaluate the mandatory requirements and the envelope marked as "FINANCIAL PROPOSAL" shall be retained in the custody of Procuring Agency without being opened. 6. No offer shall be considered

a. If the firm / owner of the firm is not on the active tax payer list of FBR
b. If received after the last date and time
c. The tender is ambiguous
d. The tender is unsigned
e. The tender is conditional
f. Offer received without requisite earnest money
g. Offer received from the firm blacklisted or suspended by the Health Department, Government of the EP

S.No	Description	Bid Security (Rs.)
1.	Medicines, surgical disposables, medical devices, non-drug items, cotton & related items for Sehat Sahulat Card Patients FY 2024-25 for DHQ teaching hospital timergara Dir Lower	100,000/-

1. The contract shall be entered through open competitive bidding as per PPPRA Act 2012 and 2014 rules framed there under. 2. A fixed bid security (C.D) of amount equal to RS 100,000 shall be demanded from the bidder in the name of the Hospital as mentioned above from the bidder in the name of the Medical Superintendent DHQ Teaching Hospital timergara. 3. Bidders are required to submit all mandatory documents mentioned in sub-judgment sections. In case of failure to comply, the bidder shall be considered as non responsive. 4. The facility supplied must be available round the clock for 24 hours, 7 days a week throughout the year, by the vendor selected in the premises situated beyond 1000 meters radius of the hospital will have to occupy / establish a facility within the 1000-meter radius of the hospital for facilitation of patients. 5. The contract shall be non transferable and no part of the contract could be sublet by the successful bidder without hospital approval. 6. The Vendors must have a Valid Drug Sales License / whole sale license (financially sound, well reputed and have bullet with comprehensive storage facilities). 7. The supplied drugs shall be accompanied with warranty certificate as per the Drug Act, 1976 / DRAP Act, 2012. Moreover, the contractor will be bound to provide the invoice of purchase of any, when required. 8. The sealed in one envelope will be drop in office of Medical Superintendent DHQ Teaching Hospital timergara and will be open at office of Medical Superintendent DHQ Teaching Hospital timergara before 03/09/2024 at 10:30 am. Any bids presented / submitted / received later than this deadline, or delivered to some office other than the above office, shall not be considered and shall be rejected without any further processing. 9. In case the contractor fails to supply the medicine to the patient on the same day, the hospital shall purchase the same medicine from the market on the risk and cost of the contractor. 10. The bid document should be received from the office of the Medical Superintendent DHQ Teaching Hospital timergara in any duty hours up to 03/09/2024, 10 am. 11. Bid Quotation should send to the office on register / courier service by hand. Quotation should be not considered in the competitive bidding process. 12. The Vendor shall be bound to accept all the terms & conditions of the Government / PPPRA and any further condition introduced by the Government during the contract period in addition to the terms & condition of this bidding document. 13. The contractor will submit the bill on case to case basis to the hospital when the claim amount received to the hospital. 14. Bids will be opened by Medical Superintendent DHQ Teaching Hospital timergara on 03/09/2024 at 11:00 am. In the presence of those bidders or their authorized representatives, who choose to attend the bid so opening process. 15. The Medical Superintendent DHQ Teaching Hospital timergara reserves the right to reject any or all the bids in accordance with PPPRA Procurement Act 2014.

MEDICAL SUPERINTENDENT
DHQ TEACHING HOSPITAL TIMERGARA DIR LOWER

INF(P) 2105 / 24

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