TRANSPARENCY INTERNATIONAL - PAKISTAN

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October 19, 2026

TL2026/1019/2A

Executive Engineer,
Communication and Works Department,
Division Kohistan Upper.

Subject: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Executive Engineer, Communication and Works Department, Division Kohistan Upper's Tender Notice for Procurement for Restoration / Rehabilitation of Roads Damaged due to Flash Floods

Dear Sir,

This is with reference to your tender notice appeared in Daily 'Mashriq' Newspaper on 18 October, 2026. 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 date of bid is given on 28-10-2026, where it does not fulfill the fifteen days of response time, and is four (04) 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.*

Executive Engineer, Communication and Works Department, Division Kohistan Upper 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 Zero tolerance against corruption.

Regards,

Advocate Danlyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

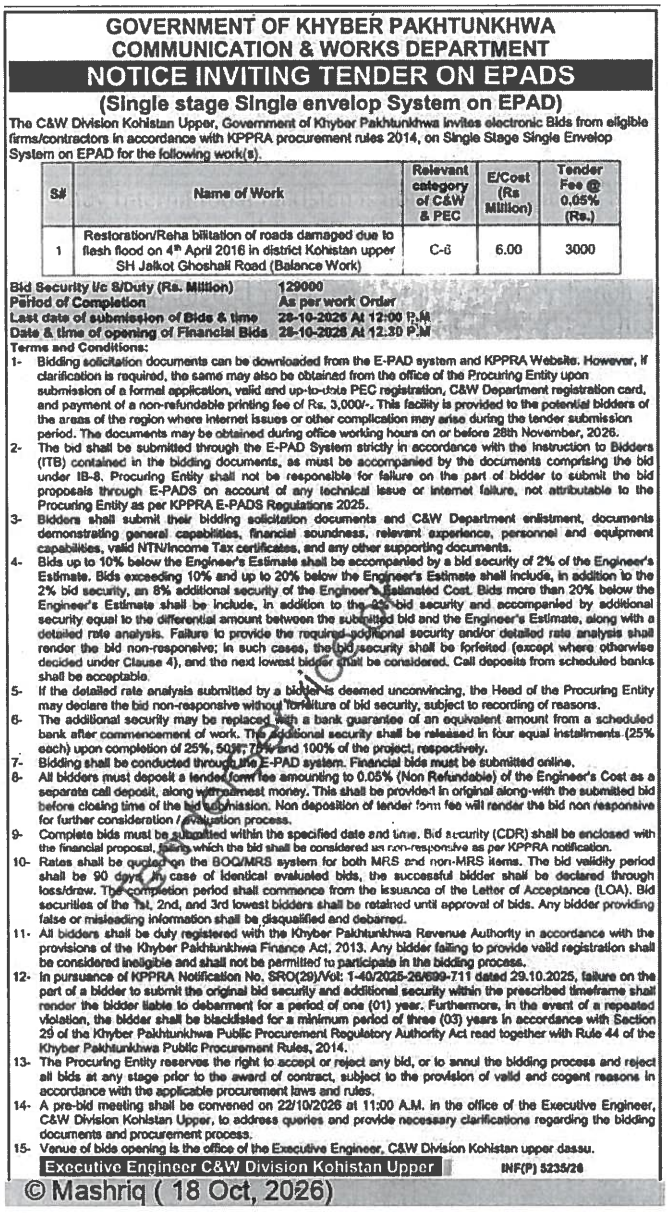
Copies forwarded for the information with request to take action under their mandate to:

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"



GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

NOTICE INVITING TENDER ON EPADS

(Single stage Single envelop System on EPAD)

The C&W Division Kohistan Upper, Government of Khyber Pakhtunkhwa invites electronic Bids from eligible firms/contractors in accordance with KPPRA procurement rules 2014, on Single Stage Single Envelop System on EPAD for the following work(s).

S#	Name of Work	Relevant category of C&W & PEC	E/Cost (Rs Million)	Tender Fee @ 0.05% (Rs.)
1	Restoration/Reha bilitation of roads damaged due to flash flood on 4th April 2016 in district Kohistan upper SH Jalkot Ghoshali Road (Balance Work)	C-6	6.00	3000

Bid Security I/c S/Duty (Rs. Million)	129000
Period of Completion	As per work Order
Last date of submission of Bids & time	28-10-2026 At 12:00 P.M
Date & time of opening of Financial Bids	28-10-2026 At 12:30 P.M

Terms and Conditions:

1- Bidding solicitation documents can be downloaded from the E-PAD system and KPPRA Website. However, if clarification is required, the same may also be obtained from the office of the Procuring Entity upon submission of a formal application, valid and up-to-date PEC registration, C&W Department registration card, and payment of a non-refundable printing fee of Rs. 3,000/-. This facility is provided to the potential bidders of the areas of the region where internet issues or other complication may arise during the tender submission period. The documents may be obtained during office working hours on or before 28th November, 2026.

2- The bid shall be submitted through the E-PAD System strictly in accordance with the Instruction to Bidders (ITB) contained in the bidding documents, as must be accompanied by the documents comprising the bid under IB-8. Procuring Entity shall not be responsible for failure on the part of bidder to submit the bid proposals through E-PADS on account of any technical issue or internet failure, not attributable to the Procuring Entity as per KPPRA E-PADS Regulations 2025.

3- Bidders shall submit their bidding solicitation documents and C&W Department enlistment, documents demonstrating general capabilities, financial soundness, relevant experience, personnel and equipment capabilities, valid NTN/Income Tax certificates, and any other supporting documents.

4- Bids up to 10% below the Engineer's Estimate shall be accompanied by a bid security of 2% of the Engineer's Estimate. Bids exceeding 10% and up to 20% below the Engineer's Estimate shall include, in addition to the 2% bid security, an 8% additional security of the Engineer's Estimated Cost. Bids more than 20% below the Engineer's Estimate shall be include, in addition to the 2% bid security and accompanied by additional security equal to the differential amount between the submitted bid and the Engineer's Estimate, along with a detailed rate analysis. Failure to provide the required additional security and/or detailed rate analysis shall render the bid non-responsive; in such cases, the bid security shall be forfeited (except where otherwise decided under Clause 4), and the next lowest bidder shall be considered. Call deposits from scheduled banks shall be acceptable.

5- If the detailed rate analysis submitted by a bidder is deemed unconvincing, the Head of the Procuring Entity may declare the bid non-responsive without forfeiture of bid security, subject to recording of reasons.

6- The additional security may be replaced with a bank guarantee of an equivalent amount from a scheduled bank after commencement of work. The additional security shall be released in four equal installments (25% each) upon completion of 25%, 50%, 75% and 100% of the project, respectively.

7- Bidding shall be conducted through the E-PAD system. Financial bids must be submitted online.

8- All bidders must deposit a tender form fee amounting to 0.05% (Non Refundable) of the Engineer's Cost as a separate call deposit, along with earnest money. This shall be provided in original along-with the submitted bid before closing time of the bid submission. Non deposition of tender form fee will render the bid non responsive for further consideration / evaluation process.

9- Complete bids must be submitted within the specified date and time. Bid security (CDR) shall be enclosed with the financial proposal, failing which the bid shall be considered as non-responsive as per KPPRA notification.

10- Rates shall be quoted on the BOQ/MRS system for both MRS and non-MRS items. The bid validity period shall be 90 days. In case of identical evaluated bids, the successful bidder shall be declared through loss/draw. The completion period shall commence from the issuance of the Letter of Acceptance (LOA). Bid securities of the 1st, 2nd, and 3rd lowest bidders shall be retained until approval of bids. Any bidder providing false or misleading information shall be disqualified and debarred.

11- All bidders shall be duly registered with the Khyber Pakhtunkhwa Revenue Authority in accordance with the provisions of the Khyber Pakhtunkhwa Finance Act, 2013. Any bidder failing to provide valid registration shall be considered ineligible and shall not be permitted to participate in the bidding process.

12- In pursuance of KPPRA Notification No. SRO(29)/Vol: 1-40/2025-26/699-711 dated 29.10.2025, failure on the part of a bidder to submit the original bid security and additional security within the prescribed timeframe shall render the bidder liable to debarment for a period of one (01) year. Furthermore, in the event of a repeated violation, the bidder shall be blacklisted for a minimum period of three (03) years in accordance with Section 29 of the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act read together with Rule 44 of the Khyber Pakhtunkhwa Public Procurement Rules, 2014.

13- The Procuring Entity reserves the right to accept or reject any bid, or to annul the bidding process and reject all bids at any stage prior to the award of contract, subject to the provision of valid and cogent reasons in accordance with the applicable procurement laws and rules.

14- A pre-bid meeting shall be convened on 22/10/2026 at 11:00 A.M. in the office of the Executive Engineer, C&W Division Kohistan Upper, to address queries and provide necessary clarifications regarding the bidding documents and procurement process.

15- Venue of bids opening is the office of the Executive Engineer, C&W Division Kohistan upper dassu.

Executive Engineer C&W Division Kohistan Upper

INF(P) 5235/26

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