

December 10, 2025

TL2025/1210/1A

Executive Engineer,
Malakand Irrigation Division,
Malakand, Khyber Pakhtunkhwa.

Subject: Violation of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014, Executive Engineer, Malakand Irrigation Division's Tender Notice for Rehabilitation / Improvement of Bazai Canal System

Dear Sir,

This is with reference to your tender notice appeared in Daily 'Aaj' Newspaper on 05 December, 2025. 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 16-12-2025, 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.

Executive Engineer, Malakand Irrigation Division 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 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”

MALAKAND IRRIGATION DIVISION MALAKAND

E-PAK ACQUISITION & DISPOSAL SYSTEM (EPADS)

(SINGLE STAGE TWO ENVELOPES PROCEDURE)

Malakand Irrigation Division Malakand, Govt. of Khyber Pakhtunkhwa Irrigation Department, invites bids Technical and Financial (Electronic Bids) proposals on the basis of Single Stage Two Envelopes procedure from approved Contractors of Irrigation Department through EPADS, who have renewed registration with Khyber Pakhtunkhwa Revenue Authority and having valid license of Pakistan Engineering Council from the Current Financial Year (2025-26) in the relevant category and code on the below mention terms and conditions.

S.#	Name of work	Estimated Cost in Rs. (Million)	2% Efficiency + Stamp Duty (In Rupees)	Tender Form Fee @ 0.03% E/Cost (Non Refundable) (In Rs.)	PEC Relevant category with specialization codes (Mandatory)	Last Date & Time for submission of tender form	Date / Time of Opening	Opening of Financial Bid	Time Limit for completion of the work
A REHABILITATION / IMPROVEMENT OF BAZAI CANAL SYSTEM AND MEHERDI MINOR ADP NO. 2091/250198.									
1	Sub Work: Rehabilitation / Improvement of Bazai Canal System.	113.00	2300000/-	33900/-	C4 (CE-04, CE-09, CE-10, EE-11, ME-07 (v) & EE-10)	19/12/2025 12:00 Noon	19/12/2025 12:30 P.M	Financial Bid of successful bidder in technical evaluation will be opened after approval of competent authority	As per Bid Solicitation documents
2	Rehabilitation / Improvement of Meherdi Minor from RD: 0+00 to Tail in reaches.	74.62	1532400/-	22386/-	C4 (CE-04, CE-09, CE-10, EE-11, ME-07 (v) & EE-10)				

TERMS & CONDITIONS FOR E-BIDDING:-

- All bidders are requested to upload their Bids (CDRS & Rate or BID Documents) and submit through EPADS (<https://epads.khyber.gov.pk>) before the mentioned system closing time.
- The bidder shall submit the sealed bid with requisite documents including 2% Bid Security of the estimated cost + stamp duty in the shape of call deposit (original) before closing date and time and non-compliance will be considered as Non-Responsive.
- The interested firm/contractor must submit a Technical Bid and Financial Bid in two separate envelopes, clearly marked as "Technical Proposal" and "Financial Proposal". Technical Bids will be on the date & time mentioned above in office of the undersigned.
- The bidders should submit their E-Bids as per KPPRA Notification No. S.R.O (13) dt: 14/10/2021-22/05/21, dated: 10-05-2022.
- Bidder shall submit tender form fee (Non Refundable) i.e @ 0.03% for each bid separately in addition to 2% CDR in the shape of call deposit in the name of Executive Engineer, Malakand Irrigation Division Malakand.
- Only those contractors are eligible to apply who has the relevant codes mentioned above and experience in canal lining and syphon construction works etc. The Contractor / Firm provided documents of experience related work would be confirmed from the relevant departments if the documents founded false the contractor will be considered as non-responsive and action would be taken against the said firm/ contractor.
- Incomplete/conditional bids with unstamped cutting/overweighting shall be considered as non-responsive.
- The CDR and Additional Security (if any) shall be returned to unsuccessful bidders after approval of the lowest bid / technically qualified bidders by the competent authority.
- All the conditions / instructions given in the bidding documents shall be applicable on all competitive bidders.
- The bids will be valid for one hundred & twenty days (120) from the bids opening.
- The bid security of all bidders will not be released till approval of tender by the competent authority and contractor who applied through E-Bidding but did not submit original CDR to the office will be debit for one year as per KPPRA Notification S.R.O (23) Vol: 1-40/2025-26, dated 20/10/2025.
- Call Deposit of Scheduled Banks shall be acceptable. No Bank cheque or pay order shall be acceptable.
- All the bidders are requested to download the bidding documents from the KPPRA website / Irrigation Department website: www.kiriradation.gov.pk or EPADS: <https://epads.khyber.gov.pk>.
- Pre-bid meeting will be held on 19/12/2025 in the office of the undersigned at 11:30 AM.
- All the bidders are required to be registered with the Khyber Pakhtunkhwa Revenue Authority, established under the Khyber Pakhtunkhwa Finance Act 2013 (Khyber Pakhtunkhwa Act No JOG of 2013).
- All the prevailing KPPRA rules / Act and other Govt. notifications will be applicable issued from time to time and will become part of bidding documents.
- The Employer has the authority to reject any bid or all the bids without any cogent reasons.
- The contractors quoting their bids up to the limit of 10% below engineer Estimate shall submit bid security @ of 2% only of Engineer Estimate.
- The contractors quoting their bids more than 10% below up to 20% below engineer Estimate shall submit along with their bids 8% additional security on Engineer Estimated cost in addition to 2% bid security if the bid is not accompanied with the required amount of additional security then it will be considered as "non-responsive" and the 2% bid security shall be forfeited in favour of Government and the 2nd lowest bidder and so on will be considered accordingly.
- Similarly contractors quoting their bids more than 20% below engineer Estimate shall submit along with their bids additional security of Engineer Estimate equal to differential amount of submitted bid on Engineer Estimate along with Detailed Rate Analysis.
- As per KPPRA Notification No. S.R.O (14) dt: 1-14/2021-22 dated 10/5/2022. If the contractor quote more than 20% below bids and the bid is not accompanied by the Detailed Rate Analysis and or required amount of additional security then it will be considered as "non-responsive". All the securities submitted along with such non-responsive bids shall be forfeited in favour of Government and the 2nd lowest bidder and so on will be considered accordingly.
- In case detailed rate analysis submitted with the bids is, in view of the Procuring Entity, not convincing, the Head of the Procuring Entity may declare such bid as non-responsive without any forfeiture of bid securities and record reasons thereof.
- All the bidders are advised to submit their bids before closing date and time because in case of any interruption/ deficiency in the network system or in the main server of computer system would not be considered and the tender will be opened on fixed date and time.

ZERO TOLERANCE TO CORRUPTION **CP/1/310223** Executive Engineer, Malakand Irrigation Division Malakand | Ph. No. 0932-452043

© Daily Aaj Newspaper (05 Dec, 2025)