



TRANSPARENCY INTERNATIONAL - PAKISTAN

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September 05, 2024

TL2024/0905/1A

Executive Engineer,
Building Division,
Layyah.

Subject: Violation of Punjab Procurement Rules 2014, Executive Engineer, Building Division, Layyah's Tender Notice for Construction of Record Room along with Copying Branch, Nazarat Branch, Facilitation Centre, Medical Dispensary & Lavatory Block Judicial Complex at Karor

Lal Esan

Dear Sir,

This is with reference to your tender notice appeared in daily 'Khabrain' Newspaper on 31st August, 2024. The said advertisement is in violation of Punjab Procurement Rules 2014, Rule No. 14 'Response Time'.

In the tender notice, the submission and opening dates of bids is given on 11.09.2024, where it does not fulfill the fifteen days of response time, and is three (3) days less. It is a violation of Punjab Procurement Rules 2014, Rule 14. The Rule is quoted below for your reference;

14. Response time.— (1) The procuring agency may decide the response time for receipt of bids or proposals (including proposals for prequalification) from the date of publication of an advertisement or notice keeping in view the complexity of the procurement, availability and urgency but, in 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.

Executive Engineer, Building Division, Layyah is requested to rectify the given mistake and issue corrigendum in accordance with Punjab Procurement Rules 2014 to avoid mis-procurement under Rule 69.

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 Punjab, Lahore.
2. Managing Director, Punjab Procurement Regulatory Authority, Lahore



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 Faiz 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”

E-TENDERING NOTICE					
Communication & Works Department, Building Division Layyah intends to tender out the following schemes through E-Tendering vide Notification No. SOH-14(C&W)-49/2023/7652 dated 26.05.2023.					
All Contractors who are registered with Pakistan Engineering Council (PEC) in relevant category or above can participate in open E-Tendering System. Procurement procedure strictly be adopted in accordance with PPRA Rules 2014 (with upto date amendments). Contractors can participate in E-Tendering after fulfilling following terms & conditions:					
(i) Contractors may register their firm on website http://pakistanengineeringcouncil.gov.pk by submitting their requisite information. (ii) After registration on E-Tendering website http://pakistanengineeringcouncil.gov.pk contractors of eligible categories may participate in E-Tendering. (iii) Contractors / bidders have to upload scanned copies of Call Deposit Receipt (CDR) (2% of the estimate cost from any scheduled bank in favor of Executive Engineer Buildings Division Layyah. Original CDR must be submitted to the Tender Opening Committee on tender opening date not later than 2.00 PM. (iv) Contractors have to quote their rates online on item rate basis against each item of BOQ up to 11.30.2023 before 1:30 PM. The rates quoted online by the contractors will be downloaded from website and will be announced on same date at 2.00 PM in the presence of participating firms / contractors and Tender Opening Committee in Commissioner Office, Dera Ghazi Khan Division, Dera Ghazi Khan. (v) All the contractors participating in E-Tendering will be bound to submit their Original CDRs, with letter heads to the Tender Opening Committee on 11.09.2023 not later than 2.00 PM. In case of failure, the contractor will be declared as disqualified from the tender process in the presence of Tender Opening Committee. (vi) In case of false information, false CDR, the contractor will be liable to disqualify as per PPRA Rules and will not be eligible to participate in upcoming tender of C&W Department, Government of the Punjab. Further his case will be forwarded to PEC and PPRA for initiation of Strict Legal Action. (vii) In case the lowest bidder whose bid will be more than 5% below of B/M/T of the work, the lowest bidder will be bound to deposit the difference between the bid & estimated cost as per rates quoted by the Bidder as Quality Assurance Security in shape of Call Deposit Receipt or Bank Guarantee from any scheduled bank in favor of Executive Engineer Buildings Division Layyah within 15 days after opening of tender. (viii) Bid opening committee may reject all Bids or Proposals at any time prior to the acceptance of Bid or Proposal. (ix) The procuring agency shall, upon request, communicate to any bidder, the grounds for its rejection of all bids or proposals, but shall not be required to justify these grounds.					
No.	Name of Work	Estimated Cost	Estimated Money 5%	T.S. No. & Date	Time Limit
1	Construction of Record Room along with copying Branch, Nazim branch, facilitation Centre, Medical Dispensary & Laboratory block Judicial Complex at Karor Lal Faison.	Rs 44 613(M)	8 891 (M)	SE-300 G 4 No. 425/CR dated 01.06.2023	12-Months
Note: Due to varying up-grades, recovery against credit of old material will be adjusted manually and accordingly bids will be evaluated.					
Name: Sajjad Hussain Designation: Executive Engineer Department: Buildings Division, Layyah Home / Street: Eid Gah Road, Layyah PO Box + 10 Postal Code: 11200 Communication Area: NTL City Name + 10 District & Tehsil: Layyah Phone / Fax + Mobile No: 0086-429857		Name: Mubhammad Arshad Designation: Superintending Engineer Department: Buildings Circle DG Khoo Home / Street: Jumper Road DG Khoo PO Box + 10 Postal Code: 11100 Communication Area: NTL City Name + 10 District & Tehsil: DG Khoo Phone / Fax + Mobile No: 044-934072			
Executive Engineer Buildings Division Layyah.		Superintending Engineer Buildings Circle Dera Ghazi Khan.		IPL-8140	