



September 16, 2024

TL2024/0916/2A

Executive Engineer,
Highway Division
Gujranwala

Subject: Violation of Punjab Procurement Rules 2014, Executive Engineer, Highway Division, Gujranwala, Tender Notice Restoration/Improvement of Road from Hameed Pur Road to Chak Ram Das, District Gujranwala

Dear Sir,

This is with reference to your tender notice appeared in daily 'Dunya' Newspaper on 13th September, 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 25.09.2024, where it does not fulfill the fifteen days of response time, and is two (2) 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, Highway Division Gujranwala, 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 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”

PUNJAB IRRIGATION DEPARTMENT E-TENDER NOTICE					
1. E-Bids for the following work are invited under the SINGLE STAGE -TWO ENVELOPE BIDDING PROCEDURE (SSTE) from professional and well reputed Firms / Authorized Dealer / Contractors registered with FBR & PRA having at least five year of experience in bulk digital variable pricing through frame work contract for financial year 2024-25 (Extendable) as per PPRA Rules, 2014 (amended to date) in accordance with E-TENDERING SYSTEM / E-PURCHASE ACQUISITION AND DISPOSAL SYSTEM (EPADS).					
Bid Receiving Date and Time: 25-9-2024 02:00 PM, Bid Opening Date and Time: 25-9-2024 02:30 PM					
Sr. No.	Name of Work	Estimate Sanctioned No & Date	Estimated Cost (Rs in Million)	Earnest Money / Bid Security @5% of the Estimated Cost (Rs in Million)	Time Limit
1	FRUITING OF E-JHANA BILLS FOR KHARIF AND RABI CROPS DURING THE YEAR 2024-2025	No. 2303/Work-1 / 2024-21153-54 /19982 dated 30-08-2024	44.211	2.210	30-6-2025
2. The contractors / firms must be registered with Punjab PPRA at www.ppra.punjab.gov.pk . Any information or procedures regarding the registration process can be accessed from the EPADS website: www.punjab.ppra.gov.pk .					
3. The Tender Notice and Bidding Documents containing detailed requirements, terms and conditions are available to registered bidders on EPADS at www.punjab.ppra.gov.pk and the Punjab Procurement Regulatory Authority (PPRA) website at www.ppra.punjab.gov.pk free of cost.					
4. All intending firms must upload the bid security / earnest money, as mentioned against work, preferably in the form of a Bank Guarantee or Call Deposit Receipt (CDR) from any scheduled bank in Pakistan, in favor of the Executive Engineer, Lahore Division CBDC Lahore online along with the technical and financial bid on the EPADS website by 25-9-2024 up to 02:00 PM. However, the original CDR / Bank Guarantee along with original supporting documents attached with online bid necessary for technical evaluation shall be submitted to the Committee at the office of Superintending Engineer, Disputes Canal Circle, Lahore Canal Bank Dharanpura Lahore on the tender opening date i.e. 25-9-2024 before 02:00 PM.					
5. In case of non-submission of earnest money in the form of a CDR / Bank Guarantee by the due date and time i.e. 25-9-2024 by 02:00 PM physically to commence, the bid will be considered non-responsive and will not be entertained.					
6. Manual bids submitted by hand or through means other than EPADS will not be entertained.					
7. After uploading the bids (Technical & Financial) on the EPADS website, the participating firms / contractors shall have to attend the office of Superintending Engineer Disputes Canal Circle Lahore, on 25-9-2024 at 02:30 PM, where all the bids will be retrieved and Technical bid of responsive bidders will be opened by the Committee in the presence of the bidders or their authorized representatives.					
8. Financial bids of only technically qualified bidders will be opened after evaluation whereas the other bids which will not meet the criteria shall be returned unopened to the bidders.					
9. The intending firm have to submit the undertaking (on joined stamp paper that details provided in technical bid are correct and firm has not been blacklisted by any government agency.					
10. In pursuance of the provision contained in General Condition 26(A) entitled in the Standard Contract Form for Execution of Work and specified in the tender document in form (B) of the Memorandum of Work and in light of amendments notified with Government of the Punjab, Finance Department's Notification No RQ(Tech)/D 1-2/2017 dated (6.11.2022), in case the total tendered amount is equal to or less than 5% of the approved estimated (DNT) amount, the lowest bidder shall have to deposit Quality Assurance Security from any scheduled Bank of Pakistan in the shape of a Bank Guarantee only equal to the amount of difference between approved DNT amount and the quoted bid amount within 15-days of the issuance of notice in within expiry period of the bid, whichever is earlier.					
11. Successful bidder shall be required to mobilize within 7 days after the issuance of the acceptance letter.					
12. Conditional and incomplete bids submitted by any bidder shall be considered non-responsive.					
13. The procuring agency may reject all bids or any of proposals at any time prior to the acceptance of a bid or proposals under PPRA Rule, 2014 (Rule-33).					
14. The procuring agency shall, upon request, communicate the grounds for rejecting all bids or proposals to any bidder but shall not be required to justify those grounds in accordance with the PPRA Rules.					
15. The successful bidder, nominated after the verification of bid security / earnest money, must execute an agreement with the Executive Engineer, Lahore Division CBDC, Lahore within 15-days of the issuance of the acceptance letter.					
16. The successful bidder must provide a time-bound execution / activity schedule within 7-days of the issuance of the acceptance letter.					
17. The payment will be made based on actual work done subjected to the availability of funds.					
18. The successful bidder has no right to claim any interest due to delays in payment for work done because of the non-receipt of funds in time.					
19. In case any of the above conditions contradict PPRA Rules, 2014 (amended to date), the PPRA Rules, 2014 (amended to date) will prevail.					
20. All other conditions will be in accordance with the PPRA Rules, 2014 (amended to date) and the Standard Contract Agreement.					
21. All instructions issued by the Finance Department and the Irrigation Department shall be applicable.					
Executive Engineer Lahore Division CBDC Lahore. IPL-8749					