



OFFICE OF THE EXECUTIVE ENGINEER

MEGA PROJECTS SOUTH-I KOHAT

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No.2578/1-L.M.H

Dated: 15 / 04 /2026

To,

**The MD,
Khyber Pakhtunkhwa Public Procurement Regulatory Authority (KP-PPRA)
Peshawar.**

Subject: RECONSTRUCTION OF WOMEN AND CHILDREN LIAQAT MEMORIAL TEACHING HOSPITAL KOHAT.ADP NO.549/160492 (2024-25) PACKAGE-III, (SH: SUPPLY, INSTALLATION TESTING AND COMMISSIONING OF DIESEL GENERATOR (TENDER REFERENCE NO.250633680)

Sub Head: EXPLANATION REGARDING TENDER PROCESS, CRITERIA MODIFICATION, RE-EVALUATION, AND COMPLIANCE WITH COURT ORDER, KPPRA DECISIONS AND KPPRA ADVICE

This letter is submitted to provide a detailed explanation of the tender process undertaken by this office in light of the Honourable High Court order, KPPRA decisions, and KPPRA advice. The factual background is set forth below for your kind perusal and record.

The subject tender was advertised in Daily Express vide reference number INF(P)2459/25 dated 06/06/2025 and in Daily Ausaf vide reference number INF(P)2640/25 dated 19/06/2025, copies of which are annexed as **Annexure-A** and **Annexure-B** respectively. A pre-bid meeting was held with all stakeholders on 26/06/2025 in connection with the subject cited work regarding its specifications, the minutes of which are annexed as **Annexure-C**. As per the bidding documents, seven days' time was required after issuance of any addendum in the bidding documents, so the opening date of the tender was extended and opened on 11/07/2025 instead of the original date of 03/07/2025.

Initially, the bidding documents did not provide any project cost criteria for in-hand projects or completed projects and only sought authorization from the bidders. However, after the pre-bid meeting held on 26/06/2025, a higher criterion was issued requiring in-hand projects of 95 million rupees and completed projects of 120 million rupees (copy attached). After issuance of this criteria, bidder filed a grievance or complaint with the undersigned office, stating that setting such higher criteria would suit only one bidder and would keep all others out of competition. A copy of the said complaint is annexed as **Annexure-D**. The bidders requested that the criteria be eased to ensure healthy competition.

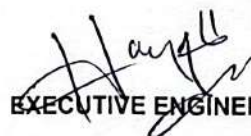
In response to the aforesaid complaint, the undersigned office issued modified criteria vide letter number 978/1-LMH dated 04/07/2025, in order to ensure healthy competition for the benefit of the Government of Khyber Pakhtunkhwa. A copy of the said letter is annexed as **Annexure-E**. The modified criteria were uploaded on the C&W website, displayed on the office notice board, and communicated to all bidders telephonically as per KPPRA Rules 2014 Rule 33(7) and five days prior to the date of submission of documents, which was 11/07/2025.

It is respectfully submitted that this corrigendum (relaxed criteria) is fully valid and compliant with **KPPRA Rule 33(7)** of the KPPRA Rules 2014, which expressly permits modification of solicitation documents by the procuring entity through issuance of an addendum or corrigendum, provided that such modification is intimated to bidders publicly or individually at least five days before the closing date. In the present case, the modified criteria were uploaded on the C&W website, displayed on the office notice board, and communicated to all bidders telephonically on 04/07/2025, while the submission deadline was **11/07/2025**, thus providing the mandatory five days' notice. The modification was not substantial to the extent

of requiring a proportionate extension, as the relaxation only lowered the financial thresholds, which benefited all bidders. The relaxation was issued in response to bidders' own complaint and request for easing of criteria, and no bidder objected to the relaxation at the time of submission. The purpose of Rule 33(7) is to ensure transparency and fair opportunity, which was fully achieved in this case. Moreover, the validity of such modification through a corrigendum is also recognized and referenced in the KPPRA advice dated 19.02.2026 (Annexure-H), wherein the Authority reiterated that any modification must be effected through a formal addendum/corrigendum with due intimation to bidders, which this office has fully complied with.

Thereafter, in compliance with the Honourable High Court order, a copy of which is annexed as Annexure-F, and the KPPRA decision and KPPRA advice, copies of which are annexed as Annexure-G and Annexure-H respectively, a re-evaluation of the tenders was conducted strictly in accordance with the applicable procurement rules, ensuring fair play and equal opportunity to all bidders as mandated. Moreover, in the re-evaluation, both bidders namely M/s Raiz and Sons and M/s Multi Tech Engineers qualified again. It is pertinent to mention that both bidders are offering the same specification and quality from the same company authorization, namely ALAM Power UK. The technical evaluation report prepared by Nespak Consultant is annexed as Annexure-I. As the re-evaluation has been conducted as per rules and as mandated in KPPRA advice, a period of ten days is hereby allowed to both responsive bidders to file any grievance or complaint to this office within ten days from the date of this letter. No grievance shall be entertained after the expiry of the said period, and thereafter the undersigned office will proceed with the process in accordance with the law.

The undersigned respectfully submits the above explanation along with the annexed documents for your kind information and record. It is respectfully requested that the above explanation may be considered and recorded as part of the procurement proceedings.


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List of Annexures:

Annexure No.	Description
Annexure-A	Copy of tender advertisement published in Daily Express vide INF(P)2459/25 dated 06/06/2025
Annexure-B	Copy of tender advertisement published in Daily Ausaf vide INF(P)2640/25 dated 19/06/2025
Annexure-C	Minutes of pre-bid meeting held on 26/06/2025
Annexure-D	Copy of grievance/complaint filed by bidder
Annexure-E	Copy of Letter No. 978/1-LMH dated 04/07/2025 regarding modified criteria
Annexure-F	Copy of Honourable High Court order
Annexure-G	Copy of KPPRA decision

Annexure No.	Description
Annexure-H	Copy of KPPRA advice
Annexure-I	Nespak Consultant Technical Evaluation Report

Copy for information forwarded to the: -

1. Chief Engineer C&W Mega Projects Peshawar.
2. Superintending Engineer, C&W Mega Projects South 1, Kohat.
3. Deputy Director (IT) C&W Department Peshawar (for Upload on C&W website and information to all bidders)
4. Sub Divisional Officer, Mega Projects South-I, Kohat.
5. The Project Manager, NESPAK 24 Sector B-2 Phase-v Hayatabad Peshawar.
6. M/s Riaz & Sons Pvt Ltd.
7. M/s Multi Tech Engineers.
8. Office copy.


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