PEC/M&E/SBDC/2023/07

January 26, 2023

**Engr. Dr. Tahir Masood**

**Convener PEC Bidding Documents Committee**

Managing Director NESPAK,

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1-C, Block-N, Model Town Extension,

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Cell No. 0300-4000780

Subject: **Clarification on Implementation Status of PEC Standard** **Procedure for Evaluation of Bids for Procurement of Works (SPEPW, March 2009)**

Ref: Diamer Basha Consultants Group (DBCG) letter No. Consult-003-1067 dated 24th January 2023 (copy enclosed as **Annex-A**).

M/S DBCG have forwarded a few queries vide their letter under reference. Point-wise staff analysis and input is appended as under:-

a*.* **Notification Status of ‘SPEPW, 2009’**.

Standard Procedure for Evaluation of Bids for Procurement of Works (First Edition) March 2009 (copy enclosed as **Annex-B**) was neither approved nor issued by ECNEC. The document was approved by the PEC Governing Body. Further, as per *Section 8 (p) of PEC Act 1976*, PEC is empowered to issue the aforementioned document without approval of any forum/authority.

b. **Mandatory Status of ‘SPEPW, 2009’**

‘PEC Standard Document for Procurement of Civil Works (June 2007)’ was declared as mandatory to follow vide Planning Commission letter No. 8(60)WR/PC/2008 dated 12th February, 2008 (copy enclosed as **Annex-C**). Whereas the guideline SPEPW, 2009” was issued in March 2009 without any direction for mandatory compliance.

c. **Clarification of Para 3.4(c) of ‘SPEPW, 2009’ on Validity Duration Short by More than 2 Days,**

Above titled guideline reproduced in the letter under reference is correct. In strict regulatory sense, the shortage of Bid Security’s validity period exceeding two days cannot be waived off by construing it as ‘Short Validity’, however, the intent behind the provision of waiver to ‘Short Validity’ may be viewed by an expert to reach a different conclusion.

Submitted for kind perusal and guidance please.

**Engr. Lt Col Haq Nawaz (R)**

Secretary SBDC

Copy to:

* + - * Engr. Musaib Qureshi, Consultant PEC.
      * PS to Chairman, PEC.
      * PS to Registrar, PEC.