NATIONAL HIGHWAY AUTHORITY

Road Asset & Management Section 28-Mative Area, G-9/1, Islamabad Tel: 9032815

~ No. (49)/GM (RAMD)/NHA/2022/ 1668

27th October 2022

Director (MIS),

Public Procurement Regulatory Authority (PPRA), 1st Floor FBC building near State Bank, G-5/2, Islamabad.

Project:

PERIODIC MAINTENANCE WORK (STRUCTURAL OVERLAY) ON KKH

N-35 FOR NORTHERN AREAS REGION

Contract No: PM-NA-2020-21/N-35/01, PM-NA-2020-21/N-35/02

Subject:

PROVISION OF CONTRACT AWARD PERFORMA ALONG WITH ITS

ANNEXURES

Reserence:

Regulation 2 of PPRA notified vide S.R.O. (1)/2009 dated 9th July 2009.

Kindly find attached the duly filled and signed Contract Award Performa along-with its annexures pertaining to the procurement of subject works in light of above referred regulation for uploading on website, please.

Enclosed: As Above

(MUHAMMAD NASEEM KHATTAK)

General Manager (RAMD)

Cc:

Member (Engg-Coord) NHA, Islamabad.

Director (Tech.) to Chairman NHA, Islamabad.

Director (MIS), NHA, Islamabad with the request to upload the same on NHA website and

File

email to PPRA for uploading

PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)

CONTRACT AWARD PROFORMA - I

<u>To Be Filled And Uploaded on PPRA Website in Respect of All Public Contracts of Works, Services & Goods Worth Fifty Million or more</u>

	NAME OF THE ORGANIZATION/DEPTT	National Highway Authority				
	FEDERAL/PROVINCIAL GOVT	Federal Govt (Atonomous Body)				
	TITLE OF CONTRACT	Periodic Maintenance Work (Structural Overlay) From Km 85+500 - 100+000 on KKH N-35				
•	TENDER NUMBER	PM-NA-2020-21/N-35/01				
•	BRIEF DESCRIPTION OF THE CONTRACT	NHA has planned to maintain & strengthen the existing carriageway as per NHA standards considering the mandate given by NHA,RMA standard operating procedures for rehabilitation based on the latest road condition servey,roughness servey & residual strength data and thereby enhancing the remaining service life along with functional qualities of the said roads.				
•	TENDER VALUE	Pak. Rs. 329,220,287	<i>I-</i>			
•	ENGINEER's ESTIMATE (for civil works only)	Pak. Rs.372,252,700 /	·-			
•	ESTIMATED COMPLETION PERIOD	178 days				
•	WHETHER THE PROCUREMENT WAS INCLUDED IN					
	ANNUAL PROCUREMENT PLAN?	Yes	1	No	х	
	ADVERTISMENT:					
•	(i) PPRA Website (Federal Agencies)(If yes give date and PPRA's tender number)	Yes	1	No	x	
	PPRA's Tender No.	TS466560E				
	(īi) News Papers	Yes	V	No	X	
	(If yes, give names of newspapers and date)	The News International Ittehad (Urdu Newspape			2021 & Roznama	
•	TENDER OPENED ON (Date and Time)	ER OPENED ON (Date and Time) Technical Bids Opened on 28th December, 2021 at 1230 hrs Financial Bids Opened on 04th March, 2022 at 1130 hrs				
•	NATURE OF PURCHASE		Procuremen	nt of Works		
•	EXTENSION IN DUE DATE (if any)	Yes	x	No	1	
•	NUMBER OF TENDER DOCUMENTS SOLD (Attach list of Buyers)	Nil / Based on e-Biddi	ng system			
•	WHETHER QUALIFICATION CRITERIA WAS INCLUDED IN	Yes	1	2	х	
	BIDDING/TENDER DOCUMENTS (If yes enclose a copy)	(COP	Y OF QUALIFICATIO	N CRITERIA ATTACI	HED)	
>	WHETHER BID EVALUATION CRITERIA WAS INCLUDED IN	Yes	1	No	x	
	BIDDING/TENDER DOCUMENTS (if yes enclose a copy)	(COP	Y OF EVALUATION (HED)	
•	WHICH METHOD OF PROCUREMENT WAS USED:-		(Tick	one)	,	
	a) SINGLE STAGE - ONE ENVELOPE PROCEDURE			×	1	
	b) SINGLE STAGE - TWO ENVELOPE PROCEDURE			V	1	
	c) TWO STAGE BIDDING PROCEDURE			x	1	
	d) TWO STAGE - TWO ENVELOPE BIDDING PROCEDURE			x	1	
	 Please specify if any other method of procurement was adopted with brief reasons (i.e. Emergency, Direct Contracting. Negotiated Tendering etc. 		N/	Ά		
	- WHO IS THE APPROVING AUTHORITY		NHA EXECU	TIVE BOARD		
•	WHETHER APPROVAL OF COMPETENT AUTHORITY WAS OBTAINED FOR USING A METHOD OTHER THAN OPEN COMPETITIVE BIDDING	****				
•	► NUMBER OF BIDS RECEIVED Five(05)					
٠	WHETHER THE SUCCESSFUL BIDDER WAS LOWEST BIDDER	Yes	√	No	х	
>	WHETHER INTEGRITY PACT WAS SIGNED	Yes	1	No	×	
	Page 1 of 1					

(See regulation 2)

PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)

CONTRACT AWARD PROFORMA - II

To Be Filled And Uploaded on PPRA Website in Respect of All Public Contracts of Works,

Services & Goods Worth Fifty Million or more

▶ NO. OF BIDDERS PRESENT AT THE TIME OF OPENING OF BIDS	Fíve(05)
► NAME & ADDRESS OF SUCCESSFUL BIDDER	M/s UGALCO Construction Company
	Office No.28, 1st Floor, Al-Anayat Shopping Mall, G-11 Markaz Islamabad
► RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT (i.e. 1 st , 2 nd , 3 rd EVALUATED BID)	1 st Lowest Evaluated Bidder
► NEED ANALYSIS (Why the procurement was necessary?)	 To reduce the traffic accident ratio in the city. To reduce travel time and vehicle operation cost. To cause general uplift of the area. To provide free flow of traffic and end the severe traffic jams lasting hours.
► IN CASE EXTENSION WAS MADE IN RESPONSE TIME, WHAT WERE REASONS (Briefly describe)	Nil
► WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE READ OUT AT THE TIME OF OPENING OF BIDS	Yes √ No x
► DATE OF CONTRACT SIGNING (Attach a copy of agreement)	12/10/2022 (Copy attached)
► CONTRACT AWARD PRICE	Pak. Rs.329,220,287 /-
► WHETHER COPY OF EVALUATION REPORT GIVEN TO ALL BIDDERS (Attach a copy of bid evaluation report)	Yes
► ANY COMPLAINTS RECEIVED (If Yes, result thereof)	Yes x No √
 ANY DEVIATION FROM SPECIFICATIONS GIVEN IN THE TENDER NOTICE/ DOCUMENTS (If yes give details) 	Yes x No √
► DEVIATION FROM QUALIFICATION CRITERIA (If yes give details)	Yes x No √
► SPECIAL CONDITIONS, IF ANY (Give Brief Description)	NI

and the second

BIDDING DATA SHEET

The Following specific data for the works to be bid shall compliment, amend or supplement the provisions in the Instructions to Bidders. Wherever, there is a conflict, the provisions herein shall prevail over those in the Instructions to Bidders.

- 1.1 Name and address of the Employer:

 Chairman National Highway Authority HQ, 28 Mauve Area G-9/1, Islamabad.

 Tel: 0092-51-9032727, Fax: 0092-51-9260419.
- 1.1 Name of the Project & Summary of the Works:

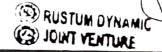
Periodic Maintenance (Structural Overlay) work between KM 100+000 to 115+000 on N-35, vide Contract No. PM-NA-2020-21/N-35/02.

- 2.1 Name of the Borrower/Source of Financing/Funding Agency:

 National Highway Authority, Road Maintenance Account (RMA)
- 3.1 Sub-clause 3.1a is deleted in its entirety and replaced with the following;
- 3.1a. Eligible Bidders and Qualification Criteria

Firms who fulfil all the requirements stated below shall be eligible for bidding;

- (i) Submission of Request letter to participate in Technical Bid for Pre-qualification in the name of General Manager (NA's) NHA Abbottabad (must be attached with Technical Bid).
- (ii) Valid Pakistan Engineering Council Certificate C-3 or above with specialization CE-01 & CE-10 for the year 2022.
- (iii) Bid Security 2% of the Engineer Estimate in form of Call Deposit/Bank Guarantee in favor of GM (Northern Areas) NHA, Abbottabad.
- (iv) Financial Competence documentation which must include.
 - a. Readable/attested Auditor Reports of the firm for Last 3 Years (2018-19, 2019-20 & 2020-21) vetted by Chartered Accounted firm registered with ICAP Pakistan to assess the Financial Capacity of the Firm(s) in line auditing standards as per table-1 (Tender Document).
 - b. Minimum Average Annual Construction Turn Over is Rs. 695.8 Million
 - c. Minimum Average Working Capital is Rs. 34.79 Million
 - d. Minimum Cash Flow is Rs. 173.90 Million
 - e. Bank statement (last 03 months) duly verified by concerned bank.
 - f. Credit line facility.
 - g. Must be registered with Income Tax Department.





- (v) Relevant Experience of at least two (02) similar size work completed during the last Seven (07) years having financial worth upto 50% of the Engineer's Estimate must be completed. Letter of Award, BOQ & Completion Certificate must be provided.
- (vi) List of Professional Technical staff undertaking on Judicial Stamp Paper along with (CV's).
- (vii) Contractor to provide the list of Equipment on Judicial Stamp Paper.
- (viii) Pending Litigation/No Litigation Certificate on Judicial Stamp Paper.
- (ix) Firms with satisfactory Past or present performance with NHA or any other executing agency and that have not been blacklisted earlier by any government agency/ authority/ organization
- (x) The bidder must have to provide Bill of Quantities along with Tender Documents.
- (xi). The Contractor may provide the power of attorney as mention in the bidding documents (on Judicial Paper for Rs. 100/- duly Countersigned from 1st Class Magistrates).
- 4. (a) For Performance, the bidder shall submit the Insurance or Bank guarantee, as follows:

 For quoted bid price upto 10%, the performance security in the form of Insurance/Bank Guarantee shall be acceptable.

However, if quoted bid price is further below 10%, bidder shall have to provide additional performance security in the shape of Bank Guarantee only for the balance lower.

(b) For instance, if a bid price appears 15% below the Engineer's Estimate, the bidder shall have to provide Performance Security in two parts as follows:

 For the evaluated bid Price upto 10% below the Engineer's Estimate, Insurance Guarantee or Bank Guarantee.

ii) For the remaining balance percentage that is 5%, only Bank Guarantee shall be admissible.

5. All pages of Tender Documents/Technical Bids must be page numbered signed and stamped by the respective Contractor/Authorized Representative. Any deficiency, in the Tender Documents or incomplete information/BOQ shall be rejected.

7.1 Contents of Bidding Documents:

The bidding documents, in addition to invitation for bids, are those stated below and should be read in conjunction with any addenda issued in accordance with clause IB 9.

- Instruction to bidders.
- Bidding Data Sheet.
- 3. Letter of Technical Bid.
- Letter of Price Bid.
- 5. Appendices to Bid (A through P to bid).
- 6. Form of Bid Security and Credit Line Facility.

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- 7. Form of Performance Security.
- 8. Form of Contract Agreement, and Mobilization Advance Guarantee.
- 9. General Conditions of Contract, Part-I (GCC).
- 10. Particular Conditions of Contract, Part-II (PCC) & Special Provision (Contractual)
- 11. Particular Specification/Special Provision.
- 12. NHA General Specification 1998 and its addenda.
- 13. Drawings.
- Time limit for clarification: 8.1

Seven (07) days prior to deadline for submission of Bid.

Bid language: 10.1

English

- 11.1 (A) The Bidder shall submit with its Technical Bid the following documents:
 - Letter of Technical Bid (a)

(b) Bid Security

(IB 15)

(c) Written confirmation authorizing the signatory of the Bid to commit the Bid

(IB 18.5)

- (d) Written Confirmation (Power of Attorney) authorizing the Person to submit the bid.
- (e) Pending litigation information
- (Appendix A) (f) Special Stipulations (as filled by the Employer)
- (Appendix E) (g) Proposed Construction Schedule (Appendix - F)
- (h) Method of Performing the Work (Appendix - G)
- (i) Availability of Critical Equipment
- (Appendix H) (i) Construction Camp and Housing Facilities (Appendix I)
- (k) List of Sub-contractors (as required) (Appendix - K)
- (l) Organization Chart for Supervisory Staff (Appendix - L)
- (m) Integrity Pact (n) Financial Competence and Access to financial Resources (Appendix - M)
- (o) Past Performance, Current Commitment, Qualification and Experience
- 11.1(B) The Bidder shall submit with its Price Bid (Envelope B) the following documents:
 - (a) Letter of Price Bid
 - (Appendix B) (b) Foreign Currency Requirements
 - (Appendix C) (e) Price Adjustment under Clause 70
 - (Appendix -D) (d) Bill of Quantities (Appendix -J) (e) Estimated Progress Payments
 - 11.2Joint Venture (JV) of maximum Two (02) firms is admissible meeting the criterion as mentioned in clause 3.1 (a) of Bid Data Sheet.



Bidders to quote entirely in Pak. Rupees only.

Period of Bid Validity:

[180 Days]

Amount of Bid Security:

Rs. 6,958,140/- (Rupees Six Million Nine Hundred Fifty Eight Thousand One 15.1 Hundred Forty only)

The Bid Security shall be, at the option of the bidder, in the form of Deposit at Call or a Bank Guarantee issued by a Scheduled Bank in Pakistan or from a foreign bank duly counter guaranteed by a Scheduled Bank in Pakistan in favor of the Employer valid for a period of 28 days beyond the Bid validity date i.e. the Bid Security shall remain valid for 208 days (Two Hundred Eight) calendar days beyond the latest deadline for submission of Bids.

Alternate Proposals by Bidder: Not Applicable

17.1 Venue, time, and date of the pre-Bid meeting: Not Applicable

18.4 Number of copies of the Bid to be completed and returned: . One original and one copy

19.2(a) Employer's address for the purpose of Bid submission:

General Manager (Northern Area) National Highway Authority House No. 394, Street No. 03, Jinnahabad Abbottabad Phone No. 0992-381164

19.2(b) Name and Number of the Contract:

Periodic Maintenance (Structural Overlay) work between KM 100+00~115+00 (N-35) Contract No. PM-NA-2020-21/N-35/02

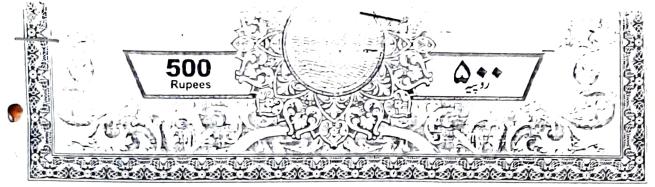
 $^{20,1}(a)$ Deadline for submission of bids:

^{28th} December, 2021 till 1200 hours.

Venue, time, and date of Bid opening:

House No. 394, Street No. 03, Jinnahabad, Abbottabad at 1230 hours on 28th D_{ecem}ber, 2021





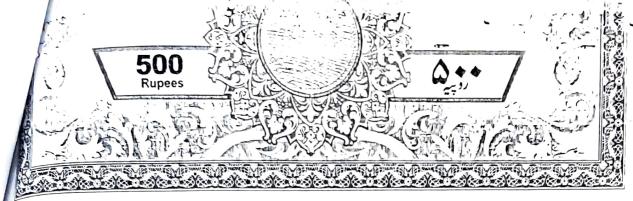
CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT (hereinaster called the "Agreement") made on the <u>day of August 2022</u> between <u>National Highway Authority (NHA)</u> (hereaster called the "Employer") of the one part and <u>M/s UGALCO</u> <u>Construction Co.</u> hereaster called the "Contractor") of the other part.

WHEREAS the Employer is desirous that certain Works, viz <u>Contract No.PM-NA-2020-21/N-35/02</u> for Periodic Maintenance Work (Structural Overlay) between Km 100+000 – 115+000 on KKH N-35 at the bid cost <u>Rs.307,689,451/-</u> (Rupees Three Hundred Seven Million Six Hundred Eighty <u>Nine Thousand Four Hundred and Fifty One only)</u> should be executed by the Contractor and has accepted a Bid by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW this Agreement witnesseth as follows:

- 1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
- 2. The following documents after incorporating addenda, if any, except those parts relating to Instructions to Bidders shall be deemed to form and be read and construed as part of this Agreement, viz:
 - (i) The Contract Agreement;
 - (ii) The Letter of Acceptance;
 - (iii) The completed Form of Bid (Letter of Technical Bid and Letter of Price Bid);
 - (iv) Addendum/ Corrigendum, if any, pertaining to Contract documents;
 - (v) Special Stipulations (Appendix-A to Bid);
 - (vi) Special Provisions (Contractual)
 - (vii) The Particular Conditions of Contract Part-II;
 - (viii) The General Conditions Part I;
 - (ix) The priced Bill of Quantities (Appendix-D to Bid);
 - The completed Appendices to Bid (C, E to P);
 - (xi) (Special Provisions (Specification);
 - (xii) MNHA General Specifications and its Addenda;
 - (xiii) CThe Drawings; and
 - (xiv), Any other documents



Contract No.PM-NA-2020-21/N-35/02

- 3. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the Works and remedy any defects therein in conformity and in all respects with the provisions of the Contract.
- 4. The Employer hereby covenants to pay the Contractor, in consideration of the execution and completion of the Works and remedifying any defects therein as per provisions of the Contract, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed in the Contract. The construction period for the work is 178 days and defect liability period is 365 days from the date of completion.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed on the day, month and year first before written in accordance with their respective laws.

For and behalf of M/s UGALCO Construction Co.

Signed, Sealed and Delivered in the presence of:

Witness:

Witness:

Witness:



NATIONAL HIGHWAY AUTHORITY

(Engineering Coordination Wing)

General Manager (RAMD)

28 Mauve Aren, G-9/1, Islamabad Phone No. 051-9032815, Fax No. 051-9104609

No./(6)GM(RAMD)/NHA/2022/499

Islamabad 4th April 2022

Director General,

Public Procurement Regulatory Authority (PPRA), 1st Floor FBC building near State Bank, G-5/2, Islamabad.

Subject:

Periodic Maintenance Work (Structural Overlay) of Northern

Areas Region under Annual Maintenance Plan 2020-21.

Contract No. PM-NA-2020-21/N-35/01 & 02

ANNOUNCEMENT OF COMBINED EVALUATION REPORT

PPRA Rule-35 as Amended vide S.R.O. 834(I)2021 vide notification

dated 28th June 2021.

Kindly find attached the duly filled and signed Combined Evaluation Report pertaining to the procurement of subject works in view of the abovereferred PPRA Rule for uploading on your website at earliest, please.

(MUHAMMAD NASEEM KHATTAK)

General Manager (RAMD)

Enclosure: Final Evaluation Report Along with (Annex-I)

Cc:

Member (Engg-Coord) NHA, Islamabad.

Director (MIS) NHA, Islamabad. - to upload the same on NHA website as well.

File

ALIA.

Announcement of

Final Evaluation Report Under PPRA Rule 35

as Amended vide S.R.O. 834(I)2021 vide notification dated 28th June 2021

1	Name of Procuring Agency	National Highway Authority
2	Method of Procurement	Single Stage Two Envelope Competitive Bidding Procedure
3	Title of Procurement	(i) Periodic Maintenance (Structural Overlay) Work between KM 85+500 to KM 100+000 on KKH (N-35) (Datta to Mansehra) under AMP 2020-21 (ii) Periodic Maintenance (Structural Overlay) Work between KM 100+000 to KM 115+000 on KKH (N-35) (Mansehra to Shinkiari) under AMP 2020-21
4	Tender Inquiry No	PM-NA-2020-21/N-35/01 & 02
5	PPRA Ref No.	TS466560E
6	Date & Time of Bid Closing	28th December 2021 at 1200 Hours
7	Date & Time of Bid Opening	28th December 2021 at 1230 Hours
8	No. of Bids Received	PM-NA-2020-21/N-35/01 = 05 PM-NA-2020-21/N-35/02 = 06
9	Criteria for bid evaluation	As per attached Bid Data Sheet (BDS)
10	Details of bid evaluation	As mentioned below

PM-NA-2020-21/N-35/01

Sr.	Name of Bidders	Technical Evaluatio n Status	Marks		Evaluated	Rule/Regulation/ SBD*/Policy/ Basis for
No.			Technical (if applicable)	Financial (if applicable)	Cost	Rejection / Acceptance as per Rule 35 of PP Rules, 2004
I	M/s UGALCO Construction Co.	Qualified	NA	NA.	329,220,287/-	1st Lowest
II	M/s Wajid Iqbal & Co.	Qualified	NA	NA	398,310,389/-	311
III	M/s Rustam Associates- Dynamic Constructors (JV)	Qualified	NA	NA .	372,252,700/-	2nd
IV	M/s Aurangzeb & Sons – Muhammad Zada & Sons (JV)	Dis- Qualified	Financial Bids not opened		Bidder has submitted faulty Power of attorney to sign and submit the bid, which mentions the name of some other firm instead of the bidder	



V	M/s Raja Adalat Khan & Sons	Dis- Qualified	Financial Bids not opened	Bidder has submitted false litigation information as there is an ongoing litigation of the firm with NHA pending before Civil Judge, Mansehra.
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Most Advantageous Bidder: M/s UGALCO Construction Co.

PM-NA-2020-21/N-35/02

Sr.	Name of Bidders	Technical Evaluatio n Status	Marks		Evaluated	Rule/Regulation/ SBD*/Policy/ Basis for
No.			Technical (if applicable)	Financial (if applicable)	Cost	Rejection / Acceptance as per Rule 35 of PP Rules, 2004
I	M/s UGALCO Construction Co.	Qualified	NA	NA	307,689,451/-	1st Lowest
II	M/s Wajid Iqbal & Co.	Non- Responsive	NA	NA	372,261,095/-	3rd
III	M/s Rustam Associates- Dynamic Constructors (JV)	Qualified	NA	NA	347,907,566/-	. 2nd
IV	M/s Aurangzeb & Sons – Muhammad Zada & Sons (JV)	Dis- Qualified	Financial Bid not Opened			Bidder has submitted faulty Power of attorney to sign and submit the bid, which mentions the name of some other firm instead of the bidder
V	M/s Raja Adalat Khan & Sons	Dis- Qualified	Finar	ncial Bid no	t Opened	Bidder has submitted false litigation information



				as there is an ongoing litigation of the firm with NHA pending before Civil Judge, Mansehra.
VI	M/s Attaullah Khan Trand & Brothers	Dis- Qualified	Financial Bid not Opened	Bidder does not possess the requisite work experience as required in the bidding data sheet

Most Advantageous Bidder: M/s UGALCO Construction Co.

11. Any other additional / supporting information, the procuring agency

may like to share: Nil

Signature: _

Seal / Stamp: