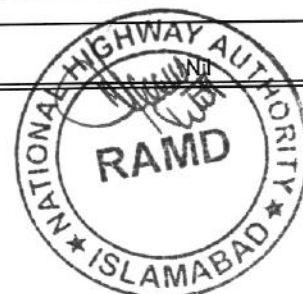


PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)

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	Three (03)				
▶ NAME & ADDRESS OF SUCCESSFUL BIDDER	M/s Friends Enterprises Plot no. 116C 3rd Floor, Al-Murtaza Commercial Lane-3, DHA, Phase-8, Karachi				
▶ 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?)	<ul style="list-style-type: none"> • 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)	No extension was made.				
▶ WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE READ OUT AT THE TIME OF OPENING OF BIDS	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
▶ DATE OF CONTRACT SIGNING (Attach a copy of agreement)	28th February, 2023 (Copy attached)				
▶ CONTRACT AWARD PRICE	Rs.349,605,039.78 /-				
▶ WHETHER COPY OF EVALUATION REPORT GIVEN TO ALL BIDDERS (Attach a copy of bid evaluation report)	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table> <p>As per Rule-35 of PPRA, Evaluation Report was uploaded on NHA & PPRA websites (Copy attached)</p>	Yes	√	No	x
Yes	√	No	x		
▶ ANY COMPLAINTS RECEIVED (If Yes, result thereof)	<table border="1"> <tr> <td>Yes</td> <td align="center">x</td> <td>No</td> <td align="center">√</td> </tr> </table>	Yes	x	No	√
Yes	x	No	√		
▶ ANY DEVIATION FROM SPECIFICATIONS GIVEN IN THE TENDER NOTICE/ DOCUMENTS (If yes give details)	<table border="1"> <tr> <td>Yes</td> <td align="center">x</td> <td>No</td> <td align="center">√</td> </tr> </table>	Yes	x	No	√
Yes	x	No	√		
▶ DEVIATION FROM QUALIFICATION CRITERIA (If yes give details)	<table border="1"> <tr> <td>Yes</td> <td align="center">x</td> <td>No</td> <td align="center">√</td> </tr> </table>	Yes	x	No	√
Yes	x	No	√		
▶ SPECIAL CONDITIONS, IF ANY (Give Brief Description)					

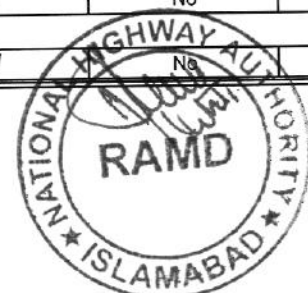


4987

PUBLIC PROCUREMENT REGULATORY AUTHORITY (PPRA)
CONTRACT AWARD PROFORMA - I

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

▶ NAME OF THE ORGANIZATION/DEPTT.	National Highway Authority				
▶ FEDERAL/PROVINCIAL GOVT.	Federal Govt (Atonomous Body)				
▶ TITLE OF CONTRACT	Rehabilitation Work From Km 103+000 - 118+000 on N-120 Mirpurkhas-Umerkot-Khokhrapar (Sindh-South Region)				
▶ TENDER NUMBER	Contract No. RH-2020-21-SS-02				
▶ BRIEF DESCRIPTION OF THE CONTRACT	NHA Executive Board in 353rd meeting held on 15th April, 2021 approved the Annual Maintenance Plan 2020 - 21 containing various Periodic Maintenance schemes for different regions. Tendering of Periodic Maintenance Rehabilitation works) of Sindh North & Sindh-South Region under AMP 2020 - 21 has been carried out through NHA e-Bidding system.				
▶ TENDER VALUE	Pak. Rs.349,605,039.78 /-				
▶ ENGINEER'S ESTIMATE (for civil works only)	Pak. Rs. 288,143,999.02 /-				
▶ ESTIMATED COMPLETION PERIOD	178 days				
▶ WHETHER THE PROCUREMENT WAS INCLUDED IN ANNUAL PROCUREMENT PLAN?	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
▶ (i) PPRA Website (Federal Agencies)	Yes				
▶ (ii) PPRA Number	TS472669E				
▶ (iii) News Papers	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
(If yes, give names of newspapers and date)	Dawn (English Newspaper), Ibrat (Urdu Newspaper) & Duniya (Urdu Newspaper) dated 13th February 2022				
▶ TENDER OPENED ON (Date and Time)	Technical Bids Opened on 14th March, 2022 at 1200 hrs Financial Bids Opened on 20th May, 2022 at 1030 hrs				
▶ NATURE OF PURCHASE	Procurement of Works				
▶ EXTENSION IN DUE DATE (if any)	<table border="1"> <tr> <td>Yes</td> <td align="center">x</td> <td>No</td> <td align="center">√</td> </tr> </table>	Yes	x	No	√
Yes	x	No	√		
▶ NUMBER OF TENDER DOCUMENTS SOLD (Attach list of Buyers)	Nil / Based on e-Bidding System.				
▶ WHETHER QUALIFICATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS (If yes enclose a copy)	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
	(COPY OF QUALIFICATION CRITERIA ATTACHED)				
▶ WHETHER BID EVALUATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS (if yes enclose a copy)	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
	(COPY OF EVALUATION CRITERIA IS ATTACHED)				
▶ WHICH METHOD OF PROCUREMENT WAS USED:-	(Tick one)				
a) SINGLE STAGE - ONE ENVELOPE PROCEDURE	<input type="checkbox"/>				
b) SINGLE STAGE - TWO ENVELOPE PROCEDURE	<input checked="" type="checkbox"/>				
c) TWO STAGE BIDDING PROCEDURE	<input type="checkbox"/>				
d) TWO STAGE - TWO ENVELOPE BIDDING PROCEDURE	<input type="checkbox"/>				
- Please specify if any other method of procurement was adopted with brief reasons (i.e. Emergency, Direct Contracting, Negotiated Tendering etc.	N/A				
- WHO IS THE APPROVING AUTHORITY	NHA EXECUTIVE BOARD				
▶ WHETHER APPROVAL OF COMPETENT AUTHORITY WAS OBTAINED FOR USING A METHOD OTHER THAN OPEN COMPETITIVE BIDDING	N/A				
▶ NUMBER OF BIDS RECEIVED	Three (03)				
▶ WHETHER THE SUCCESSFUL BIDDER WAS LOWEST BIDDER	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
▶ WHETHER INTEGRITY PACT WAS SIGNED	<table border="1"> <tr> <td>Yes</td> <td align="center">√</td> <td>No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		



NATIONAL HIGHWAY AUTHORITY

Office of Member (Central Zone)

Executive Summary

Subject: **AWARD OF CONTRACT NO. RH-2020-21-SS-02 FOR REHABILITATION WORK FROM KM 103+000 – 118+000 (N-120) MIRPURKHAS-UMERKOT-KHOKHRAPAR (SINDH-SOUTH REGION)**

BACKGROUND

NHA Executive Board in 353rd meeting held on 15th April, 2021 approved the Annual Maintenance Plan 2020 - 21 containing various Periodic Maintenance schemes for different regions. Tendering of Periodic Maintenance Rehabilitation works) of Sindh-North & Sindh-South Region under AMP 2020 - 21 has been carried out through NHA e-Bidding system.

Sindh-South Region

Sr. No	Contract No.	Scope of Work	Chainage	Engr. Estimate(Rs.)
1	RH-2020-21-SS-02	REHABILITATION WORK	Km 103+000 - 118+000 (N-120)	Rs. 288,143,999.02

TENDERING PROCESS:

- The tendering of subject contracts was carried out through e-Bidding System. Single Stage Two Envelope Bidding Process was adopted.

TECHNICAL BIDS EVALUATION:

- Technical e-bids as well as hard copies of the participated firms were opened on schedule date i.e. 14th March, 2022 at 1200 hrs. Technical e-Bids of all the bidders were evaluated in accordance with the approved qualification criteria by Tender Opening & Evaluation Committee. The qualification status of the bidders for works to be approved by NHEB is as follows:

Sindh-South Region

Contract No.	Total Participated Bidders	Dis-Qualified Bidders	Qualified Bidders
RH-2020-21-SS-02	03	-	03

FINANCIAL BID EVALUATION:

- Financial e-Bids of Qualified bidders were opened through e-Bidding System by the Tender/ Opening & Evaluation Committee on 20th May, 2022 at 1030 hrs in the presence of representatives of qualified bidders who chose to attend. The summary of Contract wise qualified bidders, their financial bids and status of the lowest evaluated bidders is as under.

Sindh-South Region

Sr No.	Contract No.	Location	Estimated Cost (Rs.)	Lowest e-Bid Received (Rs.)	% above / below	Lowest Evaluated Bidder
01	RH-2020-21-SS-02	Km 103+000 - 118+000 (N-120)	Rs. 288,143,999.02/-	Rs.349,605,039.78 /-	(+)21.33%	M/s Friends Enterprises

Decision Solicited

- On the basis of recommendations of Tender Opening & Evaluation Committee, the Bid Acceptance Committee unanimously recommends that the following Rehabilitation Work contract pertaining to Sindh-South region under AMP 2020-21 may be awarded to lowest evaluated bidder at his evaluated bid prices. As mentioned below:

+

KPK Region

Contract No.	Name of Lowest Evaluated Bidder	Final Evaluated Bid Price (Rs)	Variance w.r.t CSR 2014 (%)
RH-2020-21-SS-02	M/s Friends Enterprises	Rs.349,605,039.78	(+)21.33%

* The Tender Acceptance committee recommended the bid of contract No. RH-2020-21-SS-02 to be awarded at the cost of **Rs. 349,605,039/- (+)21.33%**



NATIONAL HIGHWAY AUTHORITY

CONFIRMED MINUTES

Subject: **The 353rd Meeting of the NHA Executive Board Held on April 15, 2021 at Islamabad**

Introduction

The 353rd meeting of the National Highway Authority's Executive Board was held at 1000 hours on April 15, 2021 at the Auditorium of NHA Headquarters, Islamabad. Capt. (Retd.) Muhammad Khurram Agha, Chairman, NHA presided over the meeting.

The meeting commenced with recitation of verses from the Holy Quran.

Opening Remarks

The Chairman extended warm welcome to the participants of the meeting.

The Chairman allowed Secretary, NHA to start formal Board proceedings on the agenda.

Formal Board Proceedings

Agenda Items

The Secretary, NHA apprised the Board that agenda consists of five (05) items.

Agenda Item 1

Confirmation of Minutes: 352nd Meeting of Executive Board held on April 09, 2021

Decision

The NHA Executive Board unanimously confirmed minutes of the 352nd Executive Board meeting held on April 09, 2021 as per modifications suggested by Board Members in the Agenda Item No 7 regarding "*Revision in Monetary Limits of Tender Opening, Evaluation & Acceptance Committee for Procurement of RMA Works*".

Action By : Secretary, NHA



Agenda Item 2

Annual Maintenance Plan for F.Y. 2020-21

Decision

The NHA Executive Board approved the Annual Maintenance Plan F.Y 2020-21 amounting to Rs.42,567.37 million in addition to carry forward liabilities from previous years amounting to Rs.16,818.54 million along with carry forwarding un-awarded schemes of previous AMPs worth Rs.3,684.23 million.

The Board directed to present AMP 2021-22 before end of June-2022.

Action By : Member (Engg. Coord)/All Zonal Members

Agenda Item 3

Consultancy Services for Design Review and Construction Supervision of Lodhran – Multan Section (North Bound 62 KM) of N-5 and Two (02 Nos.) Flyovers at Railway Crossing on Lodhran Bypass

Decision

The NHA Executive Board approved the award of Agreement for Consultancy Services for “Design Review and Construction Supervision of Lodhran – Multan Section (North Bound 62 KM) of N-5 and 02 Flyovers at Railway Crossing on Lodhran Bypass” to M/s Associated Consulting Engineers ACE Ltd. in JV with M/s Associated Consultancy Centre (Pvt.) Ltd. and M/s ZAK Consulting Engineers (SMC-Pvt.) Ltd., the highest ranked Consultants in the Combined (Technical + Financial) evaluation, at evaluated cost of Rs.118,805,992/- (Rupees one hundred eighteen million, eight hundred five thousand, nine hundred & ninety two only) including General Sales Tax (GST).

Action By : Member (Planning)



Agenda Item 4

Addendum No. 02 of M/s ABM Engineers & NEC (JV): Construction of Additional Carriageway Jamshoro – Sehwan (N-55) Section-I, Jamshoro – Manjhand (64 KM) (Package-IA, IB & IC)

Decision

The NHA Executive Board approved Revised Contract Cost as per Addendum No. 02 amounting to Rs.133,970,572/-, which is 56.02% incremental to Addendum No. 01 and 94.70% incremental to Original Contract Cost. The revised contract cost is comprising of respective contractor's share of Rs.21,217,913/- (5.88%) and Financial Impact of NHA Rs.112,386,121/- (84.12%). The Addendum No. 02 is based on actual consumption of supervision staff at site for Package-1A and Package-1B including (15-Month) expected time and cost for Package-1C. The overall length/duration of the consultancy services has been worked out (36.76+15) 51.76 Months (from February 07, 2018 to February 28, 2021 i.e. 36.76 Months and 15 Months for construction of Package-1C from its re-commencement date).

Action By: Member (South Zone)

Agenda Item 5

Award of Works for Construction of Jhaljao – Bela

The subject agenda item was withdrawn on the request of Member concerned.

Action By: Member (Planning)

Additional Agenda Item

Appointment of "The Engineer" on NHA Project

The subject agenda for selection of "The Engineer" was approved by NHA Executive Board in its 266th meeting held on June 29, 2016. The GM (P&CA) informed that "The Engineer" is an important person to administer the project and act as adjudicator under the contract provisions. He added that the duties are defined in FIDIC Conditions of Contract. FIDIC Conditions of contract clearly state that "The Engineer" shall be appointed by "The Employer".



NHA Executive Board's Confirmed Minutes

The Board deferred the matter and constituted the following committee to formulate detailed procedure for appointment of "The Engineer" and present in the next Board meeting:

- | | | |
|----|---------------------------|------------------|
| a. | Member (Planning), NHA | Chairman |
| b. | Member (Finance), NHA | Member |
| c. | Member (Engg. Coord), NHA | Member |
| d. | GM (P&CA), NHA | Member/Secretary |

Action By: Member (Planning) / Member (Finance) /
Member (Engg. Coord) / GM (P&CA)

Conclusion

The Chairman wrapped up the meeting by thanking the Board Members for their active participation and useful input.



MINISTRY OF COMMUNICATIONS
NATIONAL HIGHWAY AUTHORITY

e-Bidding System

شفاف، تیز اور جدید

Bidding Data Sheet

Following specific data for the works to be bid shall compliment, amend or supplement the provisions in the instructions to bidder. Wherever, there is a conflict, the provisions herein shall prevail over these in the instructions to bidders.

Procurement of Maintenance Works is being done through NHA e-bidding system. Prospective bidders will be required to send their bid electronically (herein after called e-Bid) and submit the hard copy of e-bid as mentioned in the bidding data sheet. A Helpdesk is established to facilitate the prospective bidders for creating their user account for NHA e-Bidding System at room no G-3, old building, NHA HQ, 28 Mauve Area, G-9/1, Islamabad (Help line No 03400026666). Prospective bidders are invited to attend training session at the Helpdesk regarding bid preparation and bid submission through e-Bidding System. One-day training session to Authorized Users, will be held on every Tuesday & Thursday (working days) between the date for "Invitation for e-Bids" and the date for "Submission of Bids" from 1430hrs to 1630hrs. The said training session will also be available through video link (for info about video link, please call help line No 03400026666).

It is to be noted that Hard Copy of e-Bid must be submitted before the deadline time for submission of bid, failing which the e-Bid received on the e-Bidding system will be evaluated as non-responsive.

Bidder has to start the Bid Submission well in advance so that the submission process is completed within the schedules period. Bidder is responsible to plan their time sufficient to complete the documents upload, fill-in required online forms, e-Bid submission, prepare the hard copy of Bid and its submission as stipulated in the bidding data.

Instructions to Bidders

Clause Reference

- 1.1 **Name and Address of the Employer:**
National Highway Authority
28-Mauve Area, G-9/1, Islamabad
Islamic Republic of Pakistan
Help line No 0340-0026666.



1.1 Name of the Project and Summary of the Works

**Widening & Rehabilitation (Km 103+000 - 118+000 (N-120)
Mirpurkhas – Umerkot – Khokharapar**

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

The Employer is funding the project through funds available under Road Maintenance Account (RMA) of National Highway Authority.

3. Eligible Bidders (and Qualification Criteria)

- a. The bidding shall be done through NHA e-Bidding System. Constructors, having valid PEC registration are required to create their "On-line User Account" for participation in the bidding of Maintenance Works. User Guide, illustrating the steps to create "On-line User Account", is available at www.ebidding.nha.gov.pk Access to NHA e-bidding system for bidding will be granted upon submission of pre-requisite documents as per guide line. Bid submitted, by using NHA e-bidding system, will only be considered.
- b. Must be registered with Income Tax Department and on Active Taxpayers List of the Federal Board of Revenue;
- c. Each individual bidder and all members of JV must have valid PEC registration in the following categories;

PEC Category & Specialization	
Individual Firm / Lead firm of JV / Member Firm(s) in JV	Category C-3 with Specialization in CE-01 & CE-10

- d. An individual bidder or JV meeting the above said conditions under Clause-3 (a), (b) & (c) will be considered for further evaluation and will be qualified if it meets the following Criteria:

i) Similar Work Experience:

Firm that has completed at least Two (02) Contracts of similar complexity (50% of Engineer's Estimate) as contractor, management contractor (but not as sub contractor) during last seven (07) years with a minimum value of **Rs.144.072 Million** each. In case of JV, (Two (02) Contracts of similar complexity (50% of Engineer's Estimate) as contractor) during last Seven (07) years with a minimum value of **Rs.144.072 Million** by lead JV partner OR each partner shall fulfil the condition as per share in JV.



- ii) Has an Average Annual Construction Turnover of minimum **Rs.1,152.576 Million**. In case of JV each partner must fulfill the Criteria with respect to its share in the JV Agreement.
- iii) Has a minimum Cash Flow of **Rs.96.048 Million**. In case of JV each partner must fulfill the Criteria with respect to its share in the JV Agreement.
- iv) Has a minimum Net Working Capital for the latest year of **Rs.432.216 Million**. In case of JV each partner must fulfill the Criteria with respect to its share in the JV Agreement.
- v) Past or present performance of the bidder as contractor (individual or all partners of a JV) is satisfactory with ~~NHA~~ or any other executing agency and the contractor has not been blacklisted earlier by any government agency / authority / organization.
- vi) Maximum Two (02) number firms are allowed to form Joint Venture (JV). Lead Partner must have 51 % or more share in the Joint Venture Agreement.

4.1 One Bid per Bidder

Out of a parent organization and / or sister organizations, only one entity shall submit a Bid. If more than one Bid is submitted by the entities belonging to same parent organization and / or being sister organizations, all such Bids shall be rejected to avoid Conflict of Interest.

7.1 Contents of Bidding Documents

The Bid 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

1. Instructions to Bidders.
2. Bidding Data Sheet.
3. Letter of Technical Bid.
4. Letter of Price Bid.
5. Appendices to Bid (A through P to Bid).
6. Forms of Bid Security, Credit Line Facility and Income Tax Exemption.
7. Form of Performance Security.
8. Forms of Contract Agreement, and Mobilization Advance Guarantee.
9. General Conditions of Contract, Part-I (GCC).
10. Particular Conditions of Contract, Part-II (PCC) & Special Provisions (Contractual).
11. NHA General Specifications-1998 and its Addenda.
12. Special Provisions (Specification)
13. Drawings.
14. Decision of NHA Executing Board in its 289th Meeting held on November 30, 2017 (Para No.9.20 from a to e) & its amendment for Compliance.



8.1 Time Limit for Clarification

Minimum number of days to seek clarification by the prospective bidder is seven (7) days before the latest deadline for submission of Bids.

9.2 Amendment of Bidding Documents

The text of Para IB 9.2 is deleted and replaced with the following:

All modifications to the bid documents will be issued via an addendum. Any addendum thus issued shall be part of the Bidding Documents pursuant to IB 7.1 hereof. Hard copies of the addenda will not be forwarded. The bidder is solely responsible for reviewing all addenda posted on the NHA e-Bidding System.

10.1 Bid Language

The same language, in which the Bidding Documents are written i.e. English, should be used for preparation of Bid.

11 Document Comprising the Bid

Delete the text of clause 11.1 and replace with the following:

11.1 Bids which are prepared through e-Bidding system will only be considered for submission and evaluation whereas the other bids will be rejected. Prospective Bidders shall follow the procedure mentioned below to prepare the bid:

- a) Log on to www.ebidding.nha.gov.pk the homepage of NHA e-Bidding System.
- b) Click on "Running Tenders" in main dashboard.
- c) A list of active tenders will appear, having buttons "(👁)" and "(👁)" at the end of each tenders.
- d) To view the bidding document of desired tender, click on "(👁)".
- e) To respond (i.e. prepare and submit) the tender, click on "(👁)".
- f) A screen having data of tender will appear. Click on "[REDACTED]".
- g) Click on "Bid Document" tab.
- h) For preparation of Technical e-Bid (Envelope A), Prospective Bidders are required to fill the details and attach the documents as per instructions, by clicking the tab "Technical Envelope". Please prepare the Technical Bid by uploading the scan copy of following documents as instructed in the e-Bidding System:



i)

i. **Written confirmation (Power of Attorney) authorizing a person to submit the Bid**

The Bid must accompany a Power of Attorney issued by authorized representative of the Firm / Company / (for all partners of a JV) having the name and CNIC No. of the person to whom Power of Attorney has been issued to submit the bid to the Employer on behalf of the Firm / Company / JV etc.

ii. **Written confirmation (Power of Attorney) authorizing the signatory of the Bid to commit the Bidder**

Original Power of Attorney on Judicial Stamp Paper duly attested by Notary Public with original signatures to sign/commit the bid on following format must accompany the bid:

- The person issuing authority of Power of Attorney shall provide the legal documents establishing his / her authority of issuing the Power of Attorney on behalf of Firm / Company / (for all partners of JV);
- The name, designation / title in the Firm / Company, CNIC No. of the person issuing the Power of Attorney must be mentioned on the Power of Attorney;
- The Power of Attorney shall bear the name, specimen signature, specimen initial of the signatory of the Bid as well as his designation / title in the Firm / Company and country identification number / CNIC No.

iii. **Letter of Technical Bid**

Complete the Letter of Technical Bid as per format available in the Bidding Document with sign and stamp.

iv. **Bid Security**

Prepare the Bid Security as per IB 15 of Instructions to Bidders and Bidding Data.

v. **Joint Venture Agreement / Letter of Intent to Execute the JV Agreement**

- a. Attached to Bid shall be a Power of Attorney from each of the Joint Venture partners, appointing and authorizing the named person to act as their representative.
- b. The authorized representative and the Project Manager will be from the lead partner having 51% or above share in JV.



vi. Valid Certificate of Registration from Pakistan Engineering Council

Bidder has to attach latest PEC Certificate.

vii. Special Stipulation (Appendix- A)

The details like time for completion, amount of Liquidated Damages, Defects Liability Period, minimum amount of Interim Payment Certificate, Performance security, Mobilization Advance has been summarized in Appendix A.

viii. Appendix – B, Appendix –C, Appendix –E, Appendix-F, Appendix- H and Appendix- I are NOT APPLICABLE for this bid.

ix. List of Major Equipment – Related Items

The Bidder will provide a list of all major equipment and related items according to Appendix-G to Bid.

x. Organization Chart for Supervisory-Staff and Labour

The Bidder will provide Organization Chart at Appendix-K to Bid.

xi. Integrity Pact (Appendix – L)

The Bidder shall sign and stamp the Integrity Pact provided at Appendix-L to Bid in the Bidding Documents for all Federal Government procurement contracts exceeding Rupees ten million. Failure to provide such Integrity Pact shall make the bidder non-responsive.

xii. Financial Competence and Access to Financial Resources

The Bidder will provide the data according to Appendix-M to Bid.



xiii. Certified Audit Reports

Individual Bidder and each member of JV have to submit along with his bid Audit Reports for the following last three (03) years as per **Table-I**, to evaluate Cash Flow, Average Annual Construction Turnover & Net Working Capital:

- Year 1 (2020-21)
- Year 2 (2019-20)
- Year 3 (2018-19)

xiv. Past Performance/ Experience

- **General Construction Experience:** Experience under construction contracts in the role of Contractor, Subcontractor or Management Contractor for at least the last seven (07) years prior to the bid submission deadline as per **Appendix N – BN1** to Bid.
- **Contract of Similar Size and Nature:** Bidder must have experience as mentioned in the clause '3 d i' of Bidding Data as per **Appendix N-BN2** to Bid.
- **Pending litigation and No Blacklisting information:** Bidder shall provide an undertaking on the Bidder's letter head that the company is not blacklisted earlier by any government agency / authority / organization. Detail of litigation pending (if any) be also provided.

xv. Qualification of Key Staff

List of Technical Staff be provided as per **Appendix-O**. The bidder shall also submit CV and other related documents of these staff with Technical Bid.

xvi. Current Commitments / Projects in Hand

The Bidder shall enclose details of Projects in hand whether of similar nature or otherwise. The details must be submitted in line with the format of **Appendix – P** to Bid.

xvii. Credit Line Facility

Credit Line Facility (if any) be provided as per format "Form CL-1" available in the Bidding Document.



xviii. Form IT-1

Complete the Form IT as per format available in the Bidding Document. Please attach NTN Certificate, and Exemption Certificate (if applicable).

j) For preparation of Price e-Bid (Envelope B), Prospective Bidders are required to fill the details and attach the documents as per instructions, by clicking the tab "Financial Envelope".

i. Bill of Quantities

The bidder will quote % above or below (i.e. premium or rebate) on the estimated amount displayed in the Bill of Quantities (BOQ). The system will automatically calculate the Bid Price based on quoted % rebate or premium on the estimated amount.

ii. Letter of Price Bid

Complete the Letter of Price Bid as per format available in the Bidding Document by writing the Bid Amount calculated by the e-Bidding System. Sign and stamp the Letter of Price Bid.

iii. Appendix - D

Complete the Letter of Price Bid as per format available in the Bidding Document by writing the Bid Amount calculated by the e-Bidding System. Sign and stamp the Letter of Price Bid.

~~iv. Estimated progress payments (Appendix - J)~~

Complete the Estimated progress payments (Appendix J) as per format available in the Bidding Document

k) After finalization of all attachments, bidder will click the button "Submit e-Bid". By this action, the bidder will submit its bid electronically (i.e. e-Bid) which will remain confidential in encrypted format.

l) Click the button "Download PDF". After downloading of "e-Bid" in PDF format, Bidder is required to print the PDF file. The printed pages be got separated into two, with respect to "Technical Envelope" and "Financial Envelope"

m) Sign and Stamp each page of the e-Bid (i.e. printed PDF file).

n) Bind the pages to prepare the hard copy "Technical e-Bid" and "Price e-Bid" separately which will be put in "Technical Envelope" and "Financial Envelope" respectively. The Hard copy of e-Bid shall comprise two envelopes submitted simultaneously, one called the Technical e-Bid and the other the Price e-Bid, containing the documents listed herein above.

o) Put the "original Bid Security" in "Technical Envelope" prior to sealing it. Both sealed envelopes i.e. "Technical Envelope" and "Financial Envelope" are to be enclosed together in an outer single envelope called the hard copy of e-Bid.



- p) Bidder will be required to submit hard copy of e-Bid to the address mentioned in the clause 19.2 (a) of Bidding Data prior to time mentioned in clause 20.1 (a) of Bidding Data.
- q) It is to be noted that Hard Copy of e-Bid must be submitted before the deadline time for submission of bid, failing which the e-Bid received on the e-Bidding system will be evaluated as non-responsive.

11.2 Add following text in the beginning:

Creating a JV in the e-Bidding System:

- i. To apply as a JV, the lead partner shall open "specific tender" from the list of "running tenders" and click on "Create Joint Venture".
- ii. The lead partner should enter the e-mail address (duly registered with e-Bidding system) of the Member Firm.
- iii. The lead partner will then select the date of JV Agreement.
- iv. After clicking "Confirm" request for JV agreement will be received on the dashboard of Member Partner.
- v. On clicking the button "Approve" by the Member Firm. Joint Venture will be established for that "specific tender".
- vi. Lead Partner can form JV with, as many firm(s), as indicated in the Bidding Document of that "specific tender".
- vii. After successful creation of the Joint venture in the system, the Lead Partner will now use their dashboard to Bid for that specific Tender.

12.3 Bid Prices

Add following at the end of 2nd paragraph:

"However, increase / decrease in Income Tax is not covered in this clause."

13.1 Currencies of Bid and Payment

The prices evaluated by incorporating the "% rebate or % premium quoted by the bidder" shall be entirely in Pak Rupees and will be paid in Pak Rupees only.

14.1 Period of Bid Validity

Bid shall remain valid and open for acceptance for a period of **One Hundred and Eighty (180)** calendar days after the latest dead line for submission of bid.



15.1 Amount of Bid Security

The amount of Bid Security shall be **Rs.5,762,889/-**. In case of non-registered JV, either each partner gives bid security equal to his share or the lead partner / major shareholder provides bid security for all.

15.2 Form and Validity of Bid Security

The Bid Security shall be, at the option of the bidder, 2% of Engineer's Estimate value in a freely convertible currency as per IB-15.1 in favor of National Highway Authority along-with Technical Bids. or a Bank Guarantee issued by a Scheduled Bank in Pakistan in favor of Employer valid for a period 28 days beyond the Bid Validity date.

18.4 Number of Copies of the Bid to be Completed and Returned

Prospective Bidders will submit the bid as described in 11.1 above. Number of copies of Technical Bid and Price Bid will be as under:

- a. e-Bid submitted as per clause 11.1
- b. One hard copy (ORIGINAL) of e-Bid as per clause 11.1

18.5 Signing of Bid

As prescribed under item 11.1 (h) ii of the Bidding Data Sheet herein above.

19.2(a) Employer's Address for the Purpose of Bid Submission

Venue: **Office of Member (South Zone) NHA-Karachi**
National Highway Authority,
NHA Complex, Behind Drigh Road Railway Station,
Main Shahrah Faisal, Karachi

19.2(b) Name and the Number of the Contract

Widening & Rehabilitation (Km 103+000 - 118+000 (N-120)
Mirpurkhas – Umerkot – Khokharapar
Contract No: RH-2020-21-SS-02

20.1(a) Deadline for Submission of Bids

Not later than 14th March 2022 at 12:00 hours

It is to be noted that Hard Copy of e-Bid must be submitted before the deadline time for submission of bid, failing which the e-Bid received on the e-Bidding system will be evaluated as non-responsive.



21 Late Bids

Add the following para at the end:

21. (c) The time indicated in the NHA e-Bidding System will be the time by which the bid submission activity will be allowed till the deadline for submission of Bids. Once the Bid Submission period is over, the bidder cannot submit their e-Bid. It is to be noted that Hard Copy of e-Bid must be submitted before the deadline time for submission of bid, failing which the e-Bid received on the e-Bidding system will be evaluated as non-responsive.

Bidder has to start the Bid Submission well in advance so that the submission process is completed within the schedules period. Bidder is responsible to plan their time sufficient to complete the documents upload, fill-in required online forms, e-Bid submission, prepare the hard copy of Bid and its submission as stipulated in the bidding data.

22 Modification, Substitution and Withdrawal of Bids

- 22.1 Any e-Bid may be withdrawn prior to the deadline time designated for submission of bids upon clicking the tab to "Withdraw Bid Response". Withdrawn bids may be modified and resubmitted upto the deadline time designated for the submission of bids.
- 22.2 After withdrawal, if the Bidder again submits its e-bid prior to bid submission, a new version of e-Bid will be generated. Bidder is required to submit hard copy of e-Bid as per clause 11.1 prior to deadline date & time for submission of bids.
- 22.3 No bid may be modified by a bidder after the deadline for submission of bids. Withdrawal of a bid during the interval between the deadline for submission of bids and the expiration of the period of bid validity specified in the Form of Bid may result in forfeiture of the Bid Security in pursuance to Clause IB.15.
- 22.4 Prospective Bidder is responsible to plan their time sufficient to submit their Hard copy of e-Bid prior to deadline for submission of Bid.

Delete the text of 23.1, 23.2, 23.3 23.4 and replace with following text;

23 Bid Opening

- 23.1 All the Bids submitted by the bidders will remain in encrypted form in the system till the time of Bid opening. The Employer will open the Technical e-Bids in public at the address, date and time specified below in the presence of Bidder's designated representatives and anyone who choose to attend. Bidders' representatives who are present shall be requested to sign the record. The omission of a Bidder's signature on the record shall not invalidate the contents and effect of the record. After authentication from the Bid Opening & Evaluation Committee, the Technical e-Bids will be decrypted and visible to the Committee for evaluation. Price e-Bids will



Table-I

Mandatory Criteria for Submission of Audit Reports*Reference:- File No.01(BK&C)/2018/1619, dated. 29th October 2018.*

ii.

Sr. #	Type of Organization	Minimum Requirement of Auditors	Basis of Preparation of Audit Reports	Basis of Preparation of Financial Statements
1	Corporate Entities (duly registered with Securities and Exchange Commission of Pakistan)	Licensed Chartered Accountant Firm (Minimum Partnership Firm with international affiliation) enlisted and appearing on the list of firms in ICAP directory as at the finalization of procurement.	International auditing standards as applicable in Pakistan.	i). Companies Ordinance 1984 or Companies Act 2017 (whichever is applicable). ii). International accounting and financial reporting standards as applicable in Pakistan at the time of issuance of the reports.
2	Partnership Firm / AOPs/Joint Ventures	Licensed Chartered Accountant Firm (Minimum Partnership Firm) enlisted and appearing on the list of firms in ICAP directory as at the finalization of procurement.	International auditing standards as applicable in Pakistan.	i). International accounting and financial reporting standards as applicable in Pakistan at the time of issuance of the reports.
3	Individuals / Sole Proprietorship	Licensed Cost & Management Accountant Firms enlisted and appearing on the list of firms in ICMAP directory as at the finalization of procurement for organizations of net worth upto 10 Million only. Licensed Chartered Accountant Firms enlisted and appearing on the list of firms in ICAP directory as at the finalization of procurement.	International auditing standards as applicable in Pakistan.	Consistent and acceptable Accounting policies.

*

The Employer reserves the rights to verify the Audit Reports from the auditors and in case of no response is received from auditors; the technical bid shall be liable to be non-Responsive.



HAZ HASSAN STAMP VENDOR
52, SEAT 2, SHADE-A
KARACHI

100
Rupees

3.1 MAR 2022



RS ONE HUNDRED ONE

Signature of Vendor

(INTEGRITY PACT)

BL-1
Appendix-L to Bid

DECLARATION OF FEES, COMMISSION AND BROKERAGE ETC. PAYABLE BY THE SUPPLIERS OF GOODS, SERVICES & WORKS IN CONTRACTS WORTH RS 10.00 MILLION OR MORE

Contract No. RH-2020-21-SS-02 (N-120)

14 March 2022



MENTIONED IN FINANCIAL BID

Contract Value

Contract Title: "Widening & Rehabilitation, Contract No. RH-2020-21-SS-02 (N-120) Mirpurkhas - Umerkot - Khokharapar, Sindh-South Region"

M/s Friends Enterprises hereby declares that it has not obtained or induced the procurement of any contract, right, interest, privilege or other obligation or benefit from Government of Pakistan (GoP) or any administrative subdivision or agency thereof or any other entity owned or controlled by GoP through any corrupt business practice.

Without limiting the generality of the foregoing, M/s Friends Enterprises represents and warrants that it has fully declared the brokerage, commission, fees etc. paid or payable to anyone and not given or agreed to give and shall not give or agree to give to anyone within or outside Pakistan either directly or indirectly through any natural or juridical person, including its affiliate, agent, associate, broker, consultant, director, promoter, shareholder, sponsor or subsidiary, any commission, gratification, bribe, finder's fee or kickback, whether described as consultation fee or otherwise, with the object of obtaining or inducing the procurement of a contract, right, interest, privilege or other obligation or benefit in whatsoever form from GoP, except that which has been expressly declared pursuant hereto.

M/s Friends Enterprises certifies that it has made and will make full disclosure of all agreements and arrangements with all persons in respect of or related to the transaction with GoP and has not taken any action or will not take any action to circumvent the above declaration, representation or warranty.

M/s Friends Enterprises accepts full responsibility and strict liability for making any false declaration, not making full disclosure, misrepresenting facts or taking any action likely to defeat the purpose of this declaration, representation and warranty. It agrees that any contract, right, interest, privilege or other obligation or benefit obtained or procured as aforesaid shall, without prejudice to any other rights and remedies available to GoP under any law, contract or other instrument, be voidable at the option of GoP.

Notwithstanding any rights and remedies exercised by GoP in this regard, M/s Friends Enterprises agrees to indemnify GoP for any loss or damage incurred by it on account of its corrupt business practices and further pay compensation to GoP in an amount equivalent to ten times the sum of any commission, gratification, bribe, finder's fee or kickback given by M/s Friends Enterprises as aforesaid for the purpose of obtaining or inducing the procurement of any contract, right, interest, privilege or other obligation or benefit in whatsoever form from GoP.

Name of Employer:
National Highway Authority
23-Staffe Area, G-9/1, Islamabad,
Islamic Republic of Pakistan.
Help line No 0340-0026666

Name of Contractor: **M/s Friends Enterprises**
3rd Floor, Plot No. 116-C
Al-Murtaza Commercial, Lane-3
Mayaban-e-Iqbal DHA Phase VIII, K

ATTESTED

S. RIZWAN ADVOCATE
NOTARY PUBLIC
KARACHI, PAKISTAN

Signature: *M. Ali*



Signature: _____

Signature: _____
[Seal]