ATTACHMENT - I

(See regulation 2)

X

X

No

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.

	TO DO THIS OPPOSITION OF THE PROPERTY OF THE P				
	Services & Goods Wo	orth Fifty Millio			
	NAME OF THE ORGANIZATION/DEPTT.	National Highway Authority			
	FEDERAL/PROVINCIAL GOVT.		Federal Govt (A		
•			chlac-Zhob Sectio asai to Khanozai)		e-IV: KM 180+00
•	TENDER NUMBER	2(517-04)			
•		carriageway alo proposed 4 lane social developm Pakhtunkhwa by which in turn will road.Six bypasse necessary. Dualization of Ku	ction of N-50 shall ng with Geome facility will large ent of Baluchist bringing more por change the socia es have been pro- chlac-Zhob Section	etric improvemently contribute to the an, Central Punculation into the state of complexion of proposed with services.	at including the economic and jab and Khybe tream of benefits eople around this vice road where
•	TENDER VALUE	Pak. Rs. 11,288,5	524,087		
	ENGINEER's ESTIMATE (for civil works only)	Pak. Rs. 11,288,5	524,087		
•	ESTIMATED COMPLETION PERIOD	36 months			
	WHETHER THE PROCUREMENT WAS INCLUDED IN				
	ANNUAL PROCUREMENT PLAN?	Yes	√	No	Х
•	(i) PPRA Website (Federal Agencies)	Yes	V	No	Х
	(ii) News Papers	Yes	√	No	X
	(If yes, give names of newspapers and date)	dated 18 th May, 2			I "The DAWN"
	TENDER OPENED ON (Date and Time)		pened on 4 th Septe		
		Financial Bids op	ened on 8 th Octob	er 2020	
•	NATURE OF PURCHASE		Procureme	nt of Works	
•	EXTENSION IN DUE DATE (if any)	Yes	√	No	X
•	NUMBER OF TENDER DOCUMENTS SOLD (Attach list of Buyers)	China Road and	(i) M/s GRC (Pvt. Bridge Corporation cent Construction	on (Pakistan) (iv)	M/s HRL (v) M/
•	WHETHER QUALIFICATION CRITERIA WAS INCLUDED IN	Yes	√	No	×
	BIDDING/TENDER DOCUMENTS (If yes enclose a copy)	(COPY C	OF QUALIFICATION	ON CRITERIA ATT	rached)
•	WHETHER BID EVALUATION CRITERIA WAS INCLUDED IN		√	No	X
•	BIDDING/TENDER DOCUMENTS (if yes enclose a copy) WHICH METHOD OF PROCUREMENT WAS USED:-	(COPY C	PY OF EVALUATION CRITERIA IS ATTACHED) (Tick one)		
	a) SINGLE STAGE - ONE ENVELOPE PROCEDURE			X	
	b) SINGLE STAGE - TWO ENVELOPE PROCEDURE		×		
	c) TWO STAGE BIDDING PROCEDURE]
	d) TWO STAGE - TWO ENVELOPE BIDDING PROCEDURE		X		
	- Please specify if any other method of procurement was adopted with brief reasons (i.e. Emergency, Direct Contracting,		N	/A	
	Negotiated Tendering etc.		NILLA EVECUI	TIVE BOARD	
	- 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		N	/A	
•	NUMBER OF BIDS RECEIVED		Twel	/e (12)	

Yes

Yes

WHETHER THE SUCCESSFUL BIDDER WAS

WHETHER INTEGRITY PACT WAS SIGNED

LOWEST BIDDER

ATTACHMENT - II (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	Twelve (12)			
•	NAME & ADDRESS OF SUCCESSFUL BIDDER	M/s SMADB-SHAHRUKH-MBC (JV)			
		Address: Suite No. 405, 4 th Floor, Panorama Centre # 02, Raja Ghazanfar Ali Khan Road, Saddar, Karachi			
•	RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT (i.e. $1^{\rm st}, 2^{\rm nd}, 3^{\rm rd}$ EVALUATED BID)	1 st Highest Ranked Bidder			
•	NEED ANALYSIS (Why the procurement was necessary?)	With the implementation of Project it will serve the communities, although not necessarily travelling on the new road, will benefit indirectly from the improved, lower cost and faster transport services, and thereby obtain improved access to economic opportunities and social Services. Government and nongovernment agencies using the project road will improve their services delivery due to improved transport efficiency. Enhancement of socio-economic activity of the highway traversed districts.			
•	IN CASE EXTENSION WAS MADE IN RESPONSE TIME, WHAT WERE REASONS (Briefly describe)	Bids submission extension was requested by the prospective bidders			
•	WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE REAL OUT AT THE TIME OF OPENING OF BIDS	Yes √ No x			
•	DATE OF CONTRACT SIGNING (Attach a copy of agreement)	26 th March 2021 (Copy attached)			
•	CONTRACT AWARD PRICE	Pak. Rs.8,750,000,000			
•	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)	Nil			

i) Each individual bidder and all members of JV must have

experience in Highway sector.

An individual bidder must have completed at least one (01) Contract (limit not more than one Contract summed up for their values in this regard) of similar size and complexity as a Contractor or Management Contractor (but not as Sub-Contractor) with a value of minimum Rs. 8,000 Million during last ten (10) years; in case of a joint venture, if one of the partners in a JV alone fulfills the threshold, others need not be assessed to fulfill it, otherwise if no JV member has completed any similar works of value equivalent to threshold then each partner shall be assessed independently to fulfill the part of threshold which will be determined as per its share in the JV;

iii) Has an Average Annual Construction Turnover of minimum Rs.5,700 Million; in case of JV each partner must fulfill the

Criteria with respect to its share in the JV Agreement;

iv) Has a minimum Cash Flow of Rs. 950 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.
- e. Maximum of three (03) number of firms are allowed to form a Joint Venture. Lead firm of the Joint Venture must have greater percentage share than the other member firm(s).
- 3.2 **Multiple Packages:** The Bidders will be eligible for award of more than one packages, subject to qualifying the adequacy and fulfilment of accumulative threshold criteria. The bidding capacity of the bidders shall be evaluated by its adequacy to the composite financial threshold values as above for multiple packages.

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 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.

Dualization of Kuchlak - Zhob Section of N-50: Package-4: Nasai to Khanozai (65 KM)

2 of 12

DUALIZATION OF KUCHLAK - ZHOB SECTION OF N-50

PACKAGE-IV: NASAI TO KHANOZAI (65 KM) (KM 180+00 TO KM 245+00)

The following amendments have been made in the Bid Document under this Addendum, which shall be read and construed as an integral part of Bid Document and shall take precedence in case of any conflict / ambiguities in the Bidding Document and other provisions of the Bidding Document.

1. VOLUME - I

i) Bidding Data

a) Page-2 of 12, IB-3.2 (Multiple Packages) insert end of this paragraph "It has been further clarified that the bids shall be opened in sequence from Package-I to Package-V. If a bidder qualifies for award of more than one packages for example for 2 or 3 packages, then after getting lowest in 2 or 3 packages respectively, whereby its bidding capacity exhausts then its financial bids for remaining packages shall not be opened."

b) Page-2 of 12, IB 3-e, Maximum number of JV firms shall be four (04).

- c) Page-10 of 12, IB-15.2 (Form and Validity of Bid Security) "or an insurance company having atleast AA rating from PACRA/JCR" insert 2nd line before "in favour of the Employer"
- d) Page-11 of 12, IB-20.1(a): (Deadline for Submission of Bids) and 23.1 (Venue, Time, and Date of Bid Opening ("Envelop A") the date be read as 30th June 2020.

ii) Bill of Quantities

- a) Bill No. 1: EARTH WORK AND ALLIED ACTIVITIES, Page No. BOQ-2, Item 101.00 be considered as 101 and item 104.00 be considered as 104.
- b) Bill No. 2: SUBBASE & BASE, Page No. BOQ-3, Item 201.00 be considered as 201 and item 202.00 be considered as 202.

2. VOLUME - II (PARTICLAR SPECIFICATIONS / SPECIAL PROVISIONS)

 Item-105 (Unclassified Roadway Excavation & Borrow Excavation for Embankment)

Page Nos. 105-1 & 105-2 are added before page No. 107-1 (Attachment No. 01).

ii) Item-202: (Aggregate Base Course)

Page Nos. 202-1 to 202-5 are amended and now given at (Attachment No. 02).

3. Other Terms and Conditions shall remain same.



... x...... x..... x

ADDENDUM NO. 02

DUALIZATION OF KUCHLAK - ZHOB SECTION OF N-50

Package-I: KM 000+00 to KM 065+00 (Zhob to Tangi) 65 KM

Package-II: KM 065+00 to KM 130+00 (Tangi to Qila Saifullah) 65 KM Package-III: KM 130+00 to KM 180+00 (Qila Saifullah to Nasai) 50 KM Package-IV: KM 180+00 to KM 245+00 (Nasai to Khanozai) 65 KM Package-V: KM 245+00 to KM 298+00 (Khanozai to Kuchlak) 53 KM

The following amendments have been made in the Bid Document under this Addendum, in compliance to the court order dated 24-07-2020 against petition # 503/2020. This Addendum shall be read and construed as an integral part of Bid Document and shall take precedence in case of any conflict/ ambiguities in the Bidding Document and other provisions of the Bidding document.

1. Bidding Data:

(i) Clause 3(d) (i) is replaced with the following:

"Each individual bidder and all members of JV must have experience in Highway sector/ Road Works of Similar Nature and Complexity."

(ii) Clause 3(d) (ii) is replaced with the following:

"An individual bidder must have completed at least one (01) Contract (limit not more than one Contract summed up for their values in this regard) having a length equivalent to 70% length of subject respective packages with similar size and complexity, during last ten (10) years. The experience of executed work should have comprised of Asphaltic Wearing Course, Asphaltic Base Course, Aggregate Base Course, Granular Sub Base, Earthwork and Construction of Culverts/Bridges. The role of bidder in that contract can be of Contractor or Management Contractor or Nominated Sub-Contractor/Sub-Contractor approved/accepted by the Employer/Department (public sector entity).

In case of a joint venture, if one (Lead Firm) of the partners in a JV alone fulfills the above threshold, others need not be assessed to fulfill it, otherwise if no JV member has completed any similar works of value equivalent to threshold then each partner shall be assessed independently to fulfill the part of threshold which will be determined as per its share in the JV.

2. Appendix-N to Bid:

(i) Para-2 (Contracts of Similar Size and Nature):

Add the following text in Column 2 - Bidder to provide specific details:

"Main Contractor's Letter of Award/ Work Order, document of sub-contract, Performance Certificate duly certified by Project Authorities."

(ii) Para-2 (Contracts of Similar Size and Nature) - Role of Contractor:

The text "(but not as Sub-Contractor)" is replaced with the following text:

"or Nominated Sub-Contractor/ Sub-Contractor approved/ accepted by the Employer/ Department (public sector entity).

3. Other Terms and Conditions shall remain same.



ADDENDUM NO. 03

DUALIZATION OF KUCHLAK - ZHOB SECTION OF N-50

Package-IV: KM 180+00 to KM 245+00 (Nasai to Khanozai) 65 KM

This Addendum # 03 supersedes the Addendum # 2 in its entirety.

The following amendments have been made in the Bid Document under this Addendum, in compliance to the court order dated 24-07-2020 against petition # 503/2020. This Addendum shall be read and construed as an integral part of Bid Document and shall take precedence in case of any conflict/ambiguities in the Bidding Document and other provisions of the Bidding document.

1. Bidding Data:

- (i) Clause 3(d) (i) is replaced with the following:
 - "Each individual bidder and all members of JV must have experience in Highway sector/Road Works of Similar Nature and Complexity."
- (ii) Clause 3(d) (ii) is replaced with the following:

"An individual bidder must have completed at least one (01) Contract (limit not more than one Contract summed up for their values in this regard) either having a value of minimum Rs 8000 million or having a length of 60 km (02-lane linear length) with similar size and complexity, during last ten (10) years. The experience of executed work should have comprised of Asphaltic Wearing Course, Asphaltic Base Course, Aggregate Base Course, Granular Sub Base, Earthwork and Construction of Culverts/ Bridges. The role of bidder in that contract can be of Contractor or Management Contractor or Nominated Sub-Contractor/ Sub-Contractor approved/ accepted by the Employer/ Department (public sector entity).

In case of a joint venture, if one (Lead Firm) of the partners in a JV alone fulfills the above threshold, others need not be assessed to fulfill it, otherwise if no JV member has completed any similar works of value equivalent to threshold then each partner shall be assessed independently to fulfill the part of threshold which will be determined as per its share in the JV.

2. Appendix-N to Bid:

(i) Para-2 (Contracts of Similar Size and Nature):

Add the following text in Column 2 - Bidder to provide specific details:

"Main Contractor's Letter of Award/ Work Order, document of sub-contract, Performance Certificate duly certified by Project Authorities."

(ii) Para-2 (Contracts of Similar Size and Nature) - Role of Contractor:

The text "(but not as Sub-Contractor)" is replaced with the following text:

"or Nominated Sub-Contractor/ Sub-Contractor approved/ accepted by the Employer/ Department (public sector entity).

3. Other Terms and Conditions shall remain same.

J. D.



CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT (hereinafter called the "Agreement") made on the 26th day of May L 2021 between National Highway Authority, 28 Mauve Area G-9/1, Islamabad. (hereinafter called the "Employer" which expression shall include the successors, legal representatives, and permitted assignees) of the one part and "M/s SMADB-SHAHRUKH-MBC (JV)(A Joint Venture of M/s Sardar Muhammad Ashraf D. Baluch (Pvt) Ltd; & M/s Shah Rukh Engineers & Contractors(Pvt) Ltd; & M/s MBC & Sons) Suit # 405, 4th Floor, Panorama Centre, Building No.2, Raja Ghazanfar Ali Khan Road, Saddar, Karachi" (hereinafter called the "Contractor" which expression shall include the successors, legal representatives, and permitted assignees) of the other part.

WHEREAS, the Employer is desirous that certain Works, viz "Dualization Of Kuchlak - Zhob Section Of N-50: Package-4: Nasai To Kanozai (KM 180+00 To KM 245+00) (65) KM" 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.

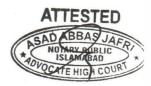
NOW this Agreement witnessed as follows:

- 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:











- (a) The Contract Agreement;
- (b) The Letter of Acceptance No. 2(517-4)/GM(P&CA)/NHA/2021/84 dated 4th February 2021;
- (c) The completed Form of Bid (Letter of Technical Bid and Letter of Price Bid);
- (d) Addendum and Corrigendum to Bid (if any);
- (e) Special Stipulations (Appendix-A to Bid);
- (f) Special Provisions (Contractual);
- (g) The Particular Conditions of Contract Part II;
- (h) The General Conditions Part I;
- (i) The priced Bill of Quantities (Appendix-D to Bid) and BOQ issued;
- (j) The completed Appendices to Bid (C, E to P);
- (k) Particular Specifications/Special Provisions (Specifications);
- (l) NHA General Specifications and its Addenda;
- (m) The Drawings;
- (n) Minutes of NHA Executive Board Meeting for Compliance; and Letter, correspondence.
- (o) Any other document regarding this contract.
- 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 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 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 by the Contract.













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 on behalf of **National Highway Authority** (Employer)

> (ASIM AMIN) Member (Planning) National Highway Authority Islamabad

Signed, Sealed and Delivered in the presence of:

Witness:

General Manager (P&CA) National Highway Authority Islamabad

For and on behalf of M/s SMADB-SHAHRUKH-MBC (JV)

(A Joint Venture of M/s Sardar Muhammad Ashraf D. Baluch (Pvt) Ltd; & M/s Shah Rukh Engineers & Contractors(Pvt) Ltd; & M/s MBC & Sons) Suit # 405, 4th Floor, Panorama Centre, Building No.2, Raja Ghazanfar Ali Khan Road, Saddar, Karachi

(Contractor)

Witness:

MAD ADNAN Authorized Signatory

SMADB - SHAHRUKH - MBC

(Joint Venture)

Krosect Coordin SMA 42101-6200902-3

FARHAN AHMED 37405.1605989-1 ASSI-COORDINATOR.







NATIONAL HIGHWAY AUTHORITY

Procurement & Contract Administration Section 28 Mauve Area, G-9/I, Islamabad 🕿 051-9032727, 🖹 051-9260419

No. 2(517-IV)/GM(P&CA)/NHA/2021/31

Director General

Public Procurement Regulatory Authority 1st Floor FBC Building near State Bank, Sector G-5/2, Islamabad

Subject:

ANNOUNCEMENT OF EVALUATION REPORT (PPRA RULE-35):

Dualization of Kuchlac - Zhob Section of N-50: Package-IV: KM

180+00 to KM 245+00 (Nasai to Khanozai) 65 KM

Reference: PPRA Rule-35

Find enclosed herewith the Evaluation Report (as per Rule 35 of PP Rules, 2004) for the subject Works for uploading on PPRA website at the earliest, please.

(MUHAMMAD TA

General Manager (P&CA)

Enclosure: Evaluation Report along with Annex-I

Copy for kind information to:

- Member (Planning), NHA, Islamabad;

Director (P&CA)-II, NHA, Islamabad;

Director (MIS), NHA, Islamabad.

EVALUATION REPORT

(As Per Rule 35 of PP Rules, 2004)

National Highway Authority Name of Procuring Agency: 1.

Single Stage Two Envelope Procedure Method of Procurement: 2.

Dualization of Kuchlac - Zhob Section of N-50: Title of Procurement: 3.

Package-IV: KM 180+00 to KM 245+00

(Nasai to Khanozai) 65 KM

Tender Inquiry No .: 2(517-IV) 4. TS424665E PPRA Ref. No. (TSE): 5.

4th September, 2020 at 1130 hours local time Date & Time of Bid Closing: 6.

4th September, 2020 at 1200 hours local time Date & Time of Bid Opening: 7.

No of Bids Received: Twelve (12) 8.

Criteria of Bid Evaluation is attached at Annex-I Criteria for Bid Evaluation: 9.

Details of Bid(s) Evaluation: 10.

	Marks			Rule/ Regulation/ SBD*/ Policy/ Basis for	
Name of Bidder	Technical (if applicable)	Financial (if applicable)	Evaluated Cost	Rejection/ Acceptance as per Rule 35 of PP Rules, 2004.	
M/s SMADB- Shahrukh-MBC (JV)	Qualified	Qualified	8,750,000,000	1st (Lowest Evaluated Bidder)	
M/s ZKB	Qualified	Qualified	9,019,458,791	2 nd	
M/s NLC-Umerjan (JV)	Qualified	Qualified	9,027,082,425	3 rd	
M/s FWO-Matracon (JV)	Qualified	Qualified	9,039,739,198	4 th	
M/s SKB-ZCC- MASSCON (JV)	Qualified	Qualified	9,098,966,460	5 th	
M/s Maqbool-Calsons (JV)	Qualified	Qualified	9,196,480,665	6 th	
M/s MASH JV	Qualified	Qualified	9,667,531,194	7 th	
M/s KAC-RMS (JV)	Qualified	Qualified	10,013,685,276	8 th	
M/s SPGEC-ZEPL- NKB JV	Disqualified	Price Bid not opened		Dis-Qualified Main Reason: Non-fulfilment and incompleteness of documents as per Bidding Data Clause 11.1(C) (ii) (Power of Attorney)	
M/s SMC - ACE JV Disqualifie		Price Bid not opened		Dis-Qualified Main Reason: Fail to meet the requirement of Similar Works Experience	
M/s KNK (Pvt.) Ltd.	Disqualified	Price Bid not opened		Dis-Qualified Main Reason: Fail to meet the requirement of Similar Works Experience	
M/s JHCEC-SB-NPI (JV)	Disqualified	Price Bid not opened		Dis-Qualified Main Reasons: Non-fulfilment and incompleteness of documents as per Bidding Data Clause 11.1(C) (ii) (Power of Attorney) and JV Agreement was not properly signed	

Lowest Evaluated Bidder:

M/s SMADB-Shahrukh-MBC (JV)

Any other additional/ supporting information, the procuring agency may like to share: Nil 11.

General Manager (P&CA) National Highway Authority 19-61:21 Official Stamp:.....Islamabad....

Signature:.. *Standard Bidding Documents (SBD)

Dualization of Kuchlac - Zhob Section of N-50, Package-IV: Nasai to Khanozai (65 KM)

Page 1 of 1