

NATIONAL HIGHWAY AUTHORITY
Road Asset & Management Section
28-Mauve Area, G-9/1, Islamabad Tel: 9032815

No. 02/GM (RAMD)/NHA/2022/851

2nd June, 2022

Director General,

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

Project: PERIODIC MAINTENANCE WORK (STRUCTURAL OVERLAY) FROM
KM 943 - 944 & 950 - 960 (SBC) N-5.
Contract No: PM-2020-21-PS-02

Subject: **PROVISION OF CONTRACT AWARD PERFORMA ALONG WITH ITS**
ANNEXURES

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

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

Enclosed: As Above



(MUHAMMAD NASEEM KHATTAK)
General Manager (RAMD)

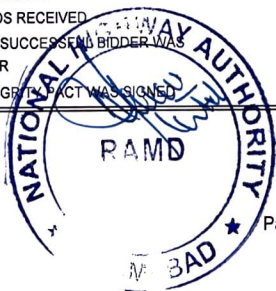
Cc:

- Member (Engg-Coord) NHA, Islamabad.
 - Director (Tech.) to Chairman NHA, Islamabad.
 - Director (RAMS), NHA, Islamabad.
 - Director (MIS), NHA, Islamabad
 - File
- with the request to upload the same on NHA website and email to PPRA for uploading*

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	Periodic Maintenance Work (Structural Overlay) From Km 943 - 944 & 950 - 960 (SBC) N-5				
▶ +	PM-2020-21-PS-02				
▶ BRIEF DESCRIPTION OF THE CONTRACT	NHEB in its 353rd meeting on 15th April, 2021 approved the Annual Maintenance Plan for F.Y 2020-21. An Amount of Rs.347,285,324/- has been allocated for Periodic Maintenance Work (Structural Overlay) From Km 943 - 944 & 950 - 954 (SBC) N-5.				
▶ TENDER VALUE	Pak. Rs.368,122,443/-				
▶ ENGINEER'S ESTIMATE (for civil works only)	Pak. Rs.347,285,324 /-				
▶ ESTIMATED COMPLETION PERIOD	178 days				
▶ WHETHER THE PROCUREMENT WAS INCLUDED IN ANNUAL PROCUREMENT PLAN?	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">√</td> <td align="center">No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
▶ (i) PPRA Website (Federal Agencies) PPRA's Tender No.	TS-462528E				
▶ (ii) News Papers	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">√</td> <td align="center">No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
(If yes, give names of newspapers and date)	The Nation on 03-10-2021, Express News on 03-11-2021, Dunya News on 03-11-2021, Daily Express on 31-09-2021				
▶ TENDER OPENED ON (Date and Time)	Technical Bids Opened on 10 th November, 2021 at 1130 hrs Financial Bids Opened on 21 st January, 2022 at 1430 hrs				
▶ NATURE OF PURCHASE	Procurement of Works				
▶ EXTENSION IN DUE DATE (if any)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">x</td> <td align="center">No</td> <td align="center">√</td> </tr> </table>	Yes	x	No	√
Yes	x	No	√		
▶ NUMBER OF TENDER DOCUMENTS SOLD (Attach list of Buyers)	Nil/ As per requirement of e-Bidding System				
▶ WHETHER QUALIFICATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS (if yes enclose a copy)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">√</td> <td align="center">No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
▶ WHETHER BID EVALUATION CRITERIA WAS INCLUDED IN BIDDING/TENDER DOCUMENTS (if yes enclose a copy)	(COPY OF QUALIFICATION CRITERIA ATTACHED)				
▶ WHICH METHOD OF PROCUREMENT WAS USED:-	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">√</td> <td align="center">No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
a) SINGLE STAGE - ONE ENVELOPE PROCEDURE	(Tick one)				
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	One (02)				
▶ WHETHER THE SUCCESSFUL BIDDER WAS LOWEST BIDDER	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">√</td> <td align="center">No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		
▶ WHETHER INTEGRITY PACT WAS SIGNED	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td align="center">Yes</td> <td align="center">√</td> <td align="center">No</td> <td align="center">x</td> </tr> </table>	Yes	√	No	x
Yes	√	No	x		



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 One (02)
- ▶ NAME & ADDRESS OF SUCCESSFUL BIDDER M/s Dughal & Company (Pvt) Ltd
- Address: Near Ghalla Mandi, Qila Dedar Singh, District Gujranwala.
- ▶ RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT (i.e. 1st, 2nd, 3rd EVALUATED BID) 1st 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) No extension was made
- ▶ WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE READ OUT AT THE TIME OF OPENING OF BIDS

Yes	x	No	√
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- ▶ DATE OF CONTRACT SIGNING (Attach a copy of agreement)
 22 April, 2022
(Copy attached)
- ▶ CONTRACT AWARD PRICE Pak. Rs. 368,122,443 /-
- ▶ WHETHER COPY OF EVALUATION REPORT GIVEN TO ALL BIDDERS (Attach a copy of bid evaluation report)

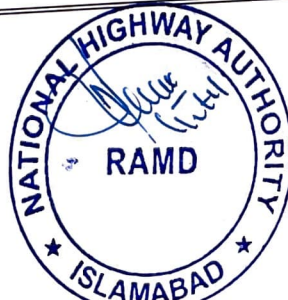
Yes	√	No	x
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 As per Rule-35 of PPRA, Evaluation Report is already uploaded on NHA & PPRA websites.
- ▶ ANY COMPLAINTS RECEIVED (If Yes, result thereof)

Yes	x	No	√
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- ▶ ANY DEVIATION FROM SPECIFICATIONS GIVEN IN THE TENDER NOTICE/ DOCUMENTS (If yes give details)

Yes	x	No	√
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- ▶ DEVIATION FROM QUALIFICATION CRITERIA (If yes give details)

Yes	x	No	√
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- ▶ SPECIAL CONDITIONS, IF ANY (Give Brief Description) Nil





FRIENDLY HIGHWAYS

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
Shahpur Interchange, Thokar Niaz Baig,
Lahore
- 1.1 **Name of the Project and Summary of the Works**
*Periodic Maintenance (Structural Overlay) under F.Y 2020-21
Contract No. PM-2020-21-PS-02 between KM 943 ~ 944 & 950 ~ 960 (SBC) on N-5.*
- 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,



Bidding Data Sheet

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	C-3 or Above, 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 (but not more than one Contract summed up for their values in this regard for each completed contracts) of similar size and complexity as a contractor or management contractor, (but not as Sub-Contractor) with a minimum value of **Rs. 174 Millions** each during last Seven (07) years. In case of JV, if Lead Partner alone fulfils the condition, then the other partner is not required to fulfil the condition, each member shall be assessed according to its share in JV.
 - ii) Has an Average Annual Construction Turnover of minimum **Rs. 521 Millions**. 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. 139 Millions**. 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. 139 Millions**. 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 (GCO)
10. Particular Conditions of Contract, Part-II (PCC) & Special Provisions (Contractual).
11. NHA General Specifications-1998 and its Addenda.
12. Drawings.
13. Minutes of NHA Executive Board Meeting & its amendments 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 replace 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 "👉".
- 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 Envelop". Please prepare the Technical Bid by uploading the scan copy of following documents as instructed in the e-Bidding System:

- 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.



xii. 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 (2019-20)
- Year 2 (2018-19)
- Year 3 (2017-18)

xiii. 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** 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** 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.

xiv. Qualification of Key Staff

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

xv. 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.

xvi. Credit Line Facility

Credit Line Facility (if any) be provided as per format "Forms" available in the Bidding Document.

xvii. Form IT-1

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



- i) 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 Envelop".
- 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
- j. 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.
- k. 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 Envelop" and "Financial Envelop"
- l. Sign and Stamp each page of the e-Bid (i.e. printed PDF file).
- m. Bind the pages to prepare the hard copy "Technical e-Bid" and "Price e-Bid" separately which will be put in "Technical Envelop" and "Financial Envelop" 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.
- n. Put the "original Bid Security" in "Technical Envelop" prior to sealing it. Both sealed envelopes i.e. "Technical Envelop" and "Financial Envelop" are to be enclosed together in an outer single envelope called the hard copy of e-Bid.
- o. 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.
- p. 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. Hard copies sent via courier will not be accepted.



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 dash board 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. 6.946 Million**. 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, 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 favour 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.

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: NHA Regional Office Building, Shahpur Interchange,
Thokar Niaz Baig, Lahore

19.2(b) Name and the Number of the Contract

Periodic Maintenance (Structural Overlay) under F.Y 2020-21
Contract No. PM-2020-21-PS-02
between KM 943 ~ 944 & 950 ~ 960 (SBC) on N-5.

20.1(a) Deadline for Submission of Bids

Not later than November 10, 2021 at 11:00 AM

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 scheduled 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 up to 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 remain encrypted in the system until the specified time of their opening. Original Hard Copy of Technical e-Bid will subsequently be opened by the committee member, whereas the envelope containing hard copy of Price e-Bids will remain unopened and will be held in custody of the Employer. Where there is a discrepancy between the e-bid and the hard copy of Bid, the e-Bid in the e-Bidding System will govern, except for the Bid Security, in which case the hard original copy of Bid Security will govern. In case, an event of Force Majeure occurs that affects the availability and/ or performance of the e-Bidding System, Employer shall consider the Hard copy of e-Bid for evaluation.

Venue, Time, and Date of Bid Opening ("Envelop A")

Venue: As per IFB
Time: As per IFB
Date: As per IFB

- 23.2 First, the name of bidders is read out at bid opening who submitted the e-Bid and its corresponding hard copy of Bid.
- 23.3 Second, if the bidder has despatch the hard copy of e-bid prior to its withdrawal through e-Bidding System, then the same will not be considered further.
- 23.4 In case of modification and substitution, latest version of e-Bid will be considered if the Bidder has submitted its "hard copy" prior to time of Bid submission, failing which the e-Bid will not be considered.
- 23.11 Add the following text at the end of Clause;

All the Price e-Bids submitted by the bidders will remain in encrypted form in the system till the time of Price Bid opening. After authentication from the Bid Opening & Evaluation Committee, the Price Bids of Qualified Bidder will be decrypted and visible to the Committee for evaluation. Original Hard Copy of Price e-Bid will subsequently be opened by the committee member. Where there is a discrepancy between the e-bid and the hard copy of Bid, the e-Bid in the e-Bidding System will govern. The Employer



will open the Price 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. Discount / Premium, if offered, though a separate letter of discount submitted with the Bid, will not be entertained and shall be considered null & void. If there is a discrepancy in the Price e-bid Amount between the Letter of Price Bid and Bill of Quantities, the amount mentioned in the Bill of Quantities shall govern.

32.1 Standard Form and Amount of Performance Security Acceptable to the Employer

- i. Minimum Performance Security shall be of an amount in favor of the Employer, equal to 10% of the Contract Price stated in the Letter of Acceptance (LOA).
- ii. Performance Security of an amount equal to 10% of the Contract Price stated in LOA shall be at the option of the bidder, be in the form of any of the following options, ONLY if the quoted / evaluated bid price is up-to 10% below of the Engineer's Estimate (EE).
 - (a) Bank Guarantee from any Scheduled Bank in Pakistan; or
 - (b) Bank Guarantee from a bank located outside Pakistan duly counter guaranteed by a Schedule Bank in Pakistan; or
 - (c) An insurance company having at-least AA rating from PACRA/JCR (Available on NHA's approved panel).
- iii. However, if the quoted bid price is beyond 10% below the EE, the bidder shall have to provide additional performance security in the shape of Bank Guarantee only for the balance lower percentage beyond 10% below the EE.



TABLE-I

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 Firms (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 Firms (Minimum Partnership Firm) enlisted and appearing on the list of firms in ICAP directory as at the finalization of procurement.		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 up to 10 million only. In all other cases Licensed Chartered Accountant Firms enlisted and appearing on the list of firms in ICAP directory as at the finalization of procurement.		Consistent and acceptable Accounting policies.



(INTEGRITY PACT)

**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. PM-2020-21-PS-02

Contract Value: 347,285,324

Dated: 09-11-2021

PERIODIC MAINTENANCE (STRUCTURAL OVERLAY): KM 943 - 944 & 950 - 960 (SBC)
M. N. S. Dughal & Company (Pvt.) Ltd. 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, Dughal & Company (Pvt.) Ltd. 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.

Dughal & Company (Pvt.) Ltd. 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.

Dughal & Company (Pvt.) Ltd. 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, Dughal & Company (Pvt.) Ltd. 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 Dughal & Company (Pvt.) Ltd. 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 Buyer:

National Highway Authority

Signature:

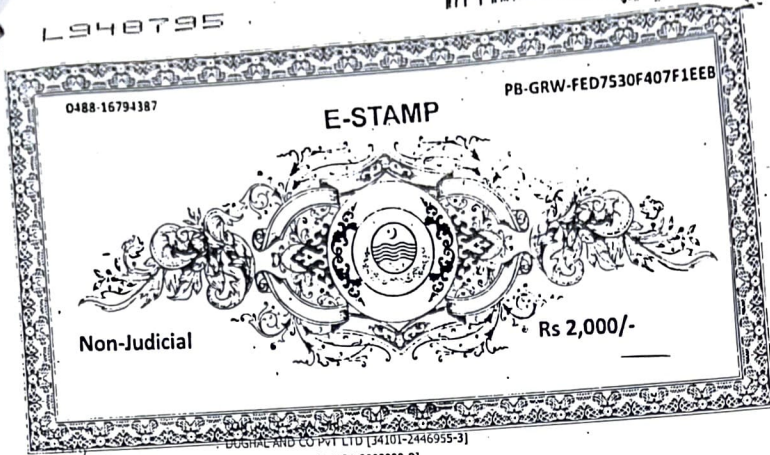
Name of Seller/Supplier:

Dughal & Company (Pvt.) Ltd.

Signature:

Chief Executive
ATIF MUNIR DUGHAL
DUGHAL & COMPANY (PVT) LTD. GRW:

L948795



Contract Party	: NHA ISLAMABAD [34101-0000000-0]
Agent	: ATTIF MUNIR [34101-2446955-3]
Stamp Duty Paid by	: DUGHAL AND CO PVT LTD [34101-2446955-3]
Issue Date	: 07-Apr-2022, 02:08:55 PM
Paid Through Challan	: 2022E433DCASAC7B
Amount in Words	: Two Thousand Rupees Only

Please Write Below This Line

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT (hereinafter called the "Agreement") made on the 22nd day of April 2022 between **National Highway Authority (NHA)** (hereafter called the "Employer") of the one part and **M/s Dughal & Company (Pvt) Ltd** hereafter called the "Contractor") of the other part.

WHEREAS the Employer is desirous that certain Works, viz **Contract No.PM-2020-21-PS-02 for Periodic Maintenance Work (Structural Overlay) between Km 943+000 - 944+000 & Km 950+000 - 960+000 (SBC) on N-5** at the bid cost **Rs.368,122,443/- (Rupees.Three Hundred Sixty Eight Million One Hundred Twenty Two Thousand Four Hundred and Forty Three only)** 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 documents;
- (v) Special Stipulations (Appendix-A to Bid);





E-STAMP

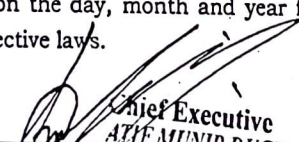
Contract No. PM-2020-21-PS-02 SHF.27


- (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);
- (x) The completed Appendices to Bid (C, E to P);
- (xi) Special Provisions (Specification);
- (xii) NHA General Specifications and its Addenda;
- (xiii) The Drawings; and
- (xiv) Any other documents

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 remedying 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.


 Chief Executive
ATIF MUNIR DUGHAL
 For and behalf of DUGHAL & COMPANY (PVT) LTD. GRW
 M/s Dughal & Company (Pvt) Ltd.
Atif Munir Dughal
3510/2446955-3


 For and behalf of Employer
 National Highway Authority
 (ARBAB ALI)
Member (E-C)
Arbab Ali
 Member (Engg. Coord)
 National Highway Authority
 Islamabad

Signed, Sealed and Delivered in the presence of:

Witness:

Muhammed Ali
34402-1670023-3

Witness:

MUHAMMAD NASEEM KHATTAK
 General Manager (RAMD)
 National Highway Authority
 Islamabad



NATIONAL HIGHWAY AUTHORITY

(Engineering Coordination Wing)

General Manager (RAMD)

28 Mauve Area, G-9/1, Islamabad

Phone No. 051-9032815, Fax No. 051-9104609

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

Islamabad 11th February 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 Punjab South Region under Annual Maintenance Plan 2020-21. Contract No. PM-2020-21-PK-01, 02, 04, 06 & 10**

ANNOUNCEMENT OF COMBINED EVALUATION REPORT

Reference: 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 work in view of the above-referred 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 (RAMS) NHA, Islamabad.
- Director (P&CA), NHA, Islamabad.
- Director (Accounts), NHA, Islamabad.
- Director (MIS) NHA, Islamabad. - **to upload the same on NHA website as well.**



**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	Periodic Maintenance Work (Structural Overlay) of Punjab South Region under Annual Maintenance Plan 2020-21. Contract No. PM-2020-21-PS-01, 02, 04, 06 & 10
4	Tender Inquiry No	PM-2020-21-PS-01, 02, 04, 06 & 10
5	PPRA Ref No.	TS-462526E
6	Date & Time of Bid Closing	10 th November 2021 & 1100 Hours
7	Date & Time of Bid Opening	10 th November 2021 & 1130 Hours
8	No. of Bids Received	PM-2020-21-PS-01 = 01 PM-2020-21-PS-02 = 02 PM-2020-21-PS-04 = 02 PM-2020-21-PS-06 = 01 PM-2020-21-PS-10 = 02
9	Criteria for bid evaluation	As per attached Bid Data Sheet (BDS)
10	Details of bid evaluation	As mentioned below

PM-2020-21-PS-01

Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD*/Policy/Basis for Rejection/Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
I	M/s Muhamamd Sajjad (Pvt) Ltd	Qualified	NA	NA	529,586,413/-	1 st Lowest

Most Advantageous Bidder : M/s Muhamamd Sajjad (Pvt) Ltd

PM-2020-21-PS-02

Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD*/Policy/Basis for Rejection/Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
I	M/s AA Memon	Dis-Qualified	NA	NA	Price Bid-Not Opened	Hard Copy of Technical Bid is not as per E Bid uploaded

						on E-bidding system
II	M/s Dhugal & Co (Pvt) Ltd.	Qualified	NA	NA	368,122,443/-	1 st Lowest

Most Advantageous Bidder : M/s Dhugal & Co (Pvt) Ltd.

PM-2020-21-PS-04

Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD/Policy/Basis for Rejection/Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
I	M/s Wajid & Construction Pvt Ltd	Dis-Qualified	NA	NA	Price Bid Not Opened	Auditor is sole Proprietor whereas status of the firm is Pvt Ltd
II	M/s King Ent - Mustafa Ent JV	Qualified	NA	NA	211,476,457/-	1 st Lowest

Most Advantageous Bidder : M/s King Ent - Mustafa Ent JV

PM-2020-21-PS-06

Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD/Policy/Basis for Rejection/Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
I	M/s Muhamamd Sajjad (Pvt) Ltd	Qualified	NA	NA	346,750,200/-	1 st Lowest

Most Advantageous Bidder : M/s Muhamamd Sajjad (Pvt) Ltd



MUHAMMAD NASEEM KHATTAK

PM-2020-21-PS-10

Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD* /Policy/ Basis for Rejection / Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
I	M/s AA Memon	Qualified	NA	NA	170,178,225/-	1 st Lowest
II	M/s Wajid & Construction Pvt Ltd	Dis-Qualified	NA	NA	Price Bid Not Opened	Auditor is sole Proprietor whereas status of the firm is Pvt Ltd

Most Advantageous Bidder : M/s AA Memon

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



Signature: _____

MUHAMMAD NASEEM KHATTAK
General Manager (RAMD)
National Highway Authority
Islamabad

Seal / Stamp: _____