



# NATIONAL HIGHWAY AUTHORITY

Procurement & Contract Administration Section  
28 Mauve Area, G-9/I, Islamabad ☎ 051-9032917, 📠 051-9260419

No. 2(538)/GM(P&CA)/NHA/2022/682

24 November, 2022

## Director General

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

Subject: **DUALIZATION OF KHUZDAR - KUHLAK SECTION OF NATIONAL HIGHWAY (N-25): SECTION - III (KM 102+000 ~ KM 171+900)**

### **ANNOUNCEMENT OF FINAL EVALUATION REPORT**

Reference: PPRA Rule-35 as amended vide S.R.O 834(I) 2021 vide notification dated 28<sup>th</sup> June 2021

Kindly find attached the duly filled and signed Final Evaluation Report pertaining to the procurement of the subject work in view of the above-referred PPRA Rule for uploading on your website at the earliest, please.

**(Sami-Ur-Rahman)**

General Manager (P&CA)

**Encl:** Evaluation Report along with **Annex-I**

### **Copy for kind information to:**

- Member (Planning), NHA, Islamabad;
- Director (Tech. to Chairman), NHA Islamabad;
- Director (P&CA)-II, NHA, Islamabad.
- Director (MIS) NHA, Islamabad- *to upload the same on NHA website as well*

**Final Evaluation Report  
As per Rule-35 of PP Rules, 2004**


1	Name of Procuring Agency	National Highway Authority
2	Method of Procurement	Single Stage Two Envelope Competitive Bidding Procedure
3	Title of Procurement	Dualization of Khuzdar – Kuchlak Section of National Highway (N-25): Section – III (Km 102+000 ~ Km 171+900)
4	Tendering Inquiry No.	<u>2(538)</u>
5	PPRA Ref No. (TSE)	TS471059E
6	Date & Time of Bid Closing	14 <sup>th</sup> March 2022 at 1130 hours
7	Date & Time of Bid Opening	14th March 2022 at 1200 hours
8	No. of Bids Received	Four (04)
9	Criteria for Bid Evaluation	As per attached Bid Data Sheet (BDS)
10	Details of Bid(s) Evaluation	As mentioned below

Name of Bidder	Marks		Evaluated Cost (Rs.)	Rule/Regulation/S BD*/Policy/Basis for Rejection /Acceptance as per Rule 35 of PP Rules, 2004.
	Technical (if applicable)	Financial (if applicable)		
M/s ZIEC-PTA JV <i>Joint Venture of M/s Zhongding International Engineering Co. Ltd. and M/s Progressive Technical Associates Pvt. Ltd.</i>	Qualified	Opened	10,583,567,678	Most Advantageous Bidder
M/s MAQBOOL - CALSONS Joint Venture <i>Joint Venture of M/s Maqbool Associates (Pvt.) Ltd. and M/s Ch. A. Latif &amp; Sons (Pvt) Ltd</i>	Dis- Qualified	Not Opened	---	The bidder was disqualified due to the following reasons:  i) Non meeting the required threshold of similar nature experience as per bidding documents clause 3e(ii) of Bidding Data  ii) Power of Attorney has not been attested by the 1st Class Magistrate as per bidding documents clause 11.1 (ii) of the Bidding Data.

Name of Bidder	Marks		Evaluated Cost (Rs.)	Rule/Regulation/S BD*/Policy/Basis for Rejection /Acceptance as per Rule 35 of PP Rules, 2004.
	Technical (if applicable)	Financial (if applicable)		
M/s SMC Joint Venture <i>Joint Venture of M/s Sadullah Khan &amp; Brothers, M/s Sultan Mahmood &amp; Company and M/s KNK (Pvt) Ltd</i>	Qualified	Opened	11,494,295,960	2 <sup>nd</sup>
M/s SMADB-UMER JAN (Joint Venture) <i>Joint Venture of M/s Sardar Muhammad Ashraf D. Baluch (Pvt.) Ltd. and M/s Umer Jan &amp; Co.</i>	Qualified	Opened	11,679,623,732	3 <sup>rd</sup>

Most Advantageous Bidder: **M/s ZIEC-PTA JV**

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

Signature: 

Official Seal / Stamp: \_\_\_\_\_





**MINISTRY OF COMMUNICATIONS  
NATIONAL HIGHWAY AUTHORITY**

# e-Bidding System

شفاف، تیز اور جدید

FRIENDLY HIGHWAYS

## 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 those in the instructions to bidders.

Procurement of 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  
Tel: +92 51 9032727  
Fax: +92 51 9260419  
Email: [gmpca.nha@gmail.com](mailto:gmpca.nha@gmail.com)

#### 1.1 Name of the Project and Summary of the Works

Dualization of Khuzdar – Kuchlak Section of National Highway (N-25): Length 330.52 Km; Section – III (Km 102+000 ~ Km 171+900)



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

The Employer is funding the project through funds available under PSDP of Government of Pakistan.

**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 Works. User Guide, illustrating the steps to create "On-line User Account", is available at [www.ebidding.nha.gov.pk](http://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 Pakistan Engineering Council Registration License for the year **2021-22** in the following categories:
  - (i) Individual/ Lead Firm in JV: PEC Category **C-A** with specialization in **CE-01 & 02**.
  - (ii) Member Firm in JV: PEC Category as per share in JV with specialization in **CE-01 & 02**.
- d. Foreign Firms will not be eligible to participate in bidding individually. Foreign Firms shall enter in to Joint Venture (JV) with Pakistani Firm (s) of appropriate category.
- e. An individual bidder or JV meeting the above said conditions under Clause-3a, 3b & 3c will be considered for further evaluation and will be qualified if it meets the following Criteria:

**General Work Experience:**

- i) Each individual bidder and all members of JV must have experience in Highway Sector/ Road Works etc as per Appendix N BN1.

**Similar Work Experience:**

- ii) An individual bidder must have completed at least one (01) Contract (limit is of one single contract, not summed up value of different packages / contracts) of similar size, nature and complexity as a Contractor or Management Contractor or Nominated Sub-Contractor / Sub-Contractor approved by the Employer (Public Sector Entity) along-with Engineer's Notification letter with a value of minimum **Rs. 9,200 Million** during last Ten (10) years; in case of a joint venture, if one (Lead Firm) of the partners in a JV alone fulfills the threshold, others need not be assessed to fulfill it, otherwise 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. 6,575 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. 1,465 Million**. In case of JV each partner must fulfill the Criteria with respect to its share in the JV Agreement. Following formula will be used:

Cash Flow = Latest year's Working Capital - One month's average invoicing of Current Commitments + Credit limit

(Project Specific Credit Line Facility, if any, shall only be considered if submitted as per **Form CL - 1** and issued by Bank, for this Contract, within last six months).

- v) Has a minimum latest year Working Capital for the latest year of **Rs. 1,100 Million**. In case of JV each partner must fulfill the Criteria with respect to its share in the JV Agreement.
- vi) Evaluation of the Bidder's Technical Proposal will include an assessment of the Bidder's technical capacity to mobilize key equipment and personnel for the contract consistent with its proposal regarding work methods, scheduling and material sourcing in sufficient detail.

Minimum requirement of Major Equipment and Key staff is stipulated in Appendix-G and Appendix-O.

- vii) 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.
- f. Maximum Three (03) number firms are allowed to form Joint Venture (JV). Lead Partner must have 50 % 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 to P).
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. 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 NHA e-Bidding System will return all submitted e-bids upon issuance of Addendum (if any), to the respective bidders. The bidder is solely responsible for reviewing all addenda posted on the NHA e-Bidding System and submit their bids accordingly.

### **10.1 Bid Language**

The same language in which the Bidding Documents are written i.e English, should be used for preparation of Bid, however if a bidder provides any supporting documents in language(s) other than English, in such case the accurate and authenticated translation of the documents in English language shall be submitted in the following manner:

- a. Notary certificates (original) as per the law of their country have been provided for each such translated documents and
- b. The translated documents have been duly verified [signed and stamped (in original) and with the written statement of the attester (the authorized officer of the Embassy) that this is a true copy of the documents translated in English duly notarized and is authentic] from the embassy of the Bidder's country of constitution in Pakistan – or – the translated and duly notarized document shall be attested by the Ministry of Foreign Affairs of the country of the Bidder duly endorsed by Counsellor of the Embassy of Pakistan in that country.



- c. Even English language documents of foreign firms have been attested by Embassy / Foreign office as per procedure given in Para 10.1 (b)

**Note:** The contents of any supporting Document by foreign firms in non-English language submitted without regard to the procedure as above (a, b & c) shall not be considered.

## 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](http://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 "Bid for this Tender".
- 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 Owner(s) / Director(s) / Partner(s) / Secretary / Legal Representative of the Firm / Company / (for all partners of a JV) which will bear the name and country identification number/ passport number (CNIC No. in case of local Firm) of the person to whom Power of Attorney has been issued to submit/ present the Bidding Documents 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

A Power of Attorney to the signatory of the Bid on following format must accompany the Bid:

- Principal (issuing authority of Power of Attorney) shall provide the legal documents establishing his 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, country identification number of the person issuing the Power of Attorney must be mentioned on the Power of Attorney;
- The Power of Attorney for local Firms shall be on Judicial Stamp Paper duly registered with 1<sup>st</sup> Class Magistrate; whereas, for foreign Firms on Firm's/ Company's letterhead;
- The Power of Attorney shall be in original with original signatures (scanned and electronic signatures shall not be acceptable);
- 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 & country identification number/ CNIC No.
- In case of a joint venture the statement "All partners of our JV shall at all times and under all circumstances be liable jointly and severally for the execution of the Contract in accordance with the Contract terms" must be included in the Power of Attorney and signed by all partners.

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. Copy of Articles of Incorporation or Constitution of the Bidder as a legal entity

- a) A copy of Articles of Incorporation or Constitution of the Bidder as a legal entity shall be submitted. The document shall indicate the Bidder's name, address and its representative Personnel.
- b) In case of Joint Venture, the copies of such document of all the partners firms shall be submitted.
- c) If the certificate in English is not available, the Bidder shall attach a copy of the accurate translation in English (as per BD 10.1).

vi. 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.
- c. This part is applicable only to Bidders that are in Joint Venture. In the case of Single Bidder no submission is required by the Bidder.

vii. Valid Certificate of Registration from Pakistan Engineering Council

Valid Certificate of Registration (Constructor's License) from Pakistan Engineering Council for the year 2021-22.

viii. Special Stipulation (Appendix- A)

Attach copy of **Appendix-A to Bid** (as filled by the Employer).

ix. Appendix – B

**NOT APPLICABLE** for this bid.

x. Price Adjustment under Clause 70 of COC Appendix –C

Attach copy of **Appendix-C to Bid** (as filled by the Employer).

xi. Proposed Construction Schedule (Appendix –E)

Summary of Proposed Construction Schedule as per **Appendix - E** to Bid must be enclosed to Bid. The Bidder shall provide the construction schedule in MS Project/ Primavera format.

xii. Method of Performing the Work (Appendix- F)

**Bidders participating in this Bid are not required to submit this Appendix-F.** However, it will be submitted only by the successful bidder to "The Engineer" after the Contract Agreement is signed and letter of commencement is issued as per **Appendix - F** to Bid.

xiii. List of Major Equipment – Related Items (Appendix- G)

The Bidder will provide the data of Major equipment according to **Appendix-G to Bid.**

xiv. Construction Camp and Housing Facilities (Appendix- H)

**Bidders participating in this Bid are not required to submit this Appendix – H.** However, the successful bidder / the Contractor, in pursuance of Clause 34 of the Conditions of Contract, shall provide description of his construction camp's facilities and staff housing



requirements (See **Appendix – H**) to “The Engineer” after the Contract Agreement is signed and letter of commencement is issued.

xv. List of Sub-contractors (as required) Appendix- I

Bidders shall submit the list of Subcontractors, if any, for major works in accordance with **Appendix I** to Bid.

xvi. Organization Chart for Supervisory Staff and Labor (Appendix- K)

Bidders shall submit the Organization Chart for Supervisory Staff and Labor in accordance with **Appendix - K** to Bid.

xvii. 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.

xviii. Financial Competence and Access to Financial Resources (Appendix- M)

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

xix. Certified Audit Reports

Individual Bidder/ Lead Partner of JV and JV members of JV has to submit alongwith his bid Audit Reports for the last three years i.e. Financial Year 2020-21, 2019-20 & 2018-19 of the bidders which close their accounts on June 30<sup>th</sup> every year **OR** Calendar Year 2018, 2019 & 2020 of the bidders which close their accounts on 31<sup>st</sup> December every year, prepared by registered Chartered Accountant appearing on list of firms on ICAP directory as per International Standard on Auditing (ISA 's) (**Refer – Table-I**).

Individual Bidder/ Lead Firm of JV and JV members of the Joint Venture has to submit Audit Reports of last three years i.e. Financial Year 2020-21, 2019-20 & 2018-19 of the bidders which close their accounts on June 30 every year **OR** Calendar Year 2018, 2019 & 2020 of the bidders which close their accounts on 31<sup>st</sup> December every year.

xx. Past Performance/ Experience (Appendix – N- BN1 and BN2)

**General Construction Experience:** Experience under construction contracts in the role of Contractor, Subcontractor or Management Contractor for at least the last ten (10) years prior to the bid submission deadline as per **Appendix N – BN1** to Bid.



Letters of acceptance and Completion certificates of completed projects in this regard may be accompanied with **Appendix – N – BN1** to Bid.

**Contract of Similar Size and Nature:** Bidder must have experience as mentioned in the clause '3 d' of Bidding Data as per **Appendix N-BN2** to Bid.

Letters of acceptance and Completion certificates of completed projects in this regard must be accompanied with **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.

xxi. Qualification of Key Staff Experience (Appendix – O)

Bidders shall submit CV's of Candidates for Project Manager, Planning Engineer, Highway Engineer, Structure Engineer, Material Engineer, Chief Surveyor and Chief Quantity Surveyor, on the attached format (**Appendix-O** to Bid). Further, Foreign Constructor will employ minimum 70 % Pakistani Engineers of relevant discipline/ field.

xxii. Current Commitments / Projects in Hand Experience (Appendix-P)

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.

xxiii. Credit Line Facility

The Bidder must demonstrate access to, or availability of, financial resources such as liquid assets, unencumbered real assets, lines of credits, and other financial means, other than any contractual advance payments, to meet the financial requirements of the contract in the amount to satisfy the Cash Flow requirement. Project Specific Credit Line Facility, if any, shall only be considered if submitted as per **Form CL - 1**.

xxiv. Form IT-1

Complete the Form IT as per format available in the Bidding Document. Please attach NTN Certificate, and Exemption Certificate (if applicable). Failing to submit the same or leaving any space blank in the certificate will result in declaring the bid as non-responsive.

**i) For preparation of Price e-Bid (Envelope B), Prospective Bidders are required to click the tab "Financial Envelop" displayed on the NHA e-**



Bidding System and quote rate against each BOQ item displayed in the Bill of Quantities (BOQ). The system will automatically calculate the Bid Price based on quoted rate(s).

Please prepare the remaining part of Price e-Bid by uploading the scan copy of following documents as instructed in the e-Bidding System:

- i. 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.
  - ii. Appendix - D  
Attach copy of Preamble to BOQ (as provided by the Employer).
  - iii. 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).
- a. 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.
  - b. 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.
  - c. 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.
  - d. 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 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 2<sup>nd</sup> paragraph:

“Increase in rate of income tax is not covered under Clause 70.2 of Conditions of Contract, and the cost of risk of increase in rate of income tax is to be built-in in the quoted bid amount. However, the contract amount shall be adjusted if exemption in income tax or decrease in rate of income tax is granted after the date “twenty eight (28) days prior to the latest date for submission of bids”.

### **13.1 Currencies of Bid and Payment**

The prices evaluated by incorporating the rate(s) 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. 265 Million**.

### **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 favor of the Employer valid for a period of 28 days beyond the Bid Validity date i.e. the Bid Security shall remain valid for **208 days (Two Hundred & Eight)** calendar days beyond the latest deadline for submission of Bids.

### **17.1 Venue, Time, and Date of the Pre-Bid Meeting**

Venue: NHA Auditorium, 27 Mauve Area, G-9/1 Islamabad,  
Time: 1100 hours,  
Date: 14<sup>th</sup> February, 2022



**17.4 Presence at the Pre-Bid Meeting**

Absence at the pre-bid meeting will not be a cause for disqualification of a bidder, however the bidders are asked to attend the meeting where they will be guided regarding preparation of the bids in the light of Instructions to Bidders.

**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 clause 11.1 of the Bidding Data Sheet herein above.

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

Venue: NHA Auditorium  
National Highway Authority,  
27-Mauve Area, G-9/1 Islamabad

**19.2(b) Name and the Number of the Contract**

Dualization of Khuzdar – Kuchlak Section of National Highway (N-25):  
Length 330.52 Km; Section – III (Km 102+000 ~ Km 171+900)  
No: 2(538)

**20.1(a) Deadline for Submission of Bids**

Not later than 1130 hours on 28<sup>th</sup> February, 2022.

**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 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 envelop 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: NHA Auditorium, 27 Mauve Area, G-9/1 Islamabad,  
Time: 1200 hours  
Date: 28<sup>th</sup> February, 2022





- 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.

**28.4** Delete the text of clause 28.4 and replace with the following:

If the Bid of the successful bidder is seriously unbalanced in relation to the Employer's estimate of the cost of work to be performed under the Contract, the Employer may require the bidder to produce detailed price analyses for any or all items of the Bill of Quantities to demonstrate the internal consistency of those prices with the construction methods and schedule proposed. After evaluation of the price analyses, if Employer determines the bid of successful bidder as unbalanced, then Successful Bidder (if considered for award) shall submit the Performance Security of an amount set forth in Clause IB.32 and Appendix A to Bid in the form of Deposit at Call or a Bank Guarantee issued by a Scheduled Bank in Pakistan at the expense of the successful bidder to a level sufficient to protect the Employer against financial loss in the event of default of the successful bidder under the Contract. In such case, the provision to submit the performance security in the shape of insurance bond will be deleted.

**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 upto 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).

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. For instance, if a bid price appears 15% below the EE, the bidder shall have to provide performance security in two parts as follows;

- i) For the evaluated bid price up to 10% below the EE, Insurance Guarantee or Bank Guarantee,
- ii) For the remaining balance percentage that is 5% of the LOA amount, only Bank Guarantee shall be admissible.



**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.	<ul style="list-style-type: none"> <li>i. Companies Ordinance 1984 or Companies Act 2017 (whichever is applicable).</li> <li>ii. International accounting and financial reporting standards as applicable in Pakistan at the time of issuance of the reports.</li> </ul>
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.		<ul style="list-style-type: none"> <li>i. International accounting and financial reporting standards as applicable in Pakistan at the time of issuance of the reports.</li> </ul>
3.	Individuals/Sole Proprietorship	<p>Licensed Cost &amp; 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.</p> <p>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.</p>		Consistent and acceptable Accounting policies.

