



NATIONAL HIGHWAY AUTHORITY

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

No. 2(519)/GM(P&CA)/NHA/2022/50

04 February, 2022

Director General

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

Subject: **ANNOUNCEMENT OF FINAL EVALUATION REPORT (PPRA
RULE-35): CONSTRUCTION OF 6-LANE HYDERABAD-SUKKUR
MOTORWAY UNDER PUBLIC PRIVATE PARTNERSHIP ON
BUILD-OPERATE-TRANSFER BASIS**

Reference: *PPRA Rule-35 of PP Rules, 2004*

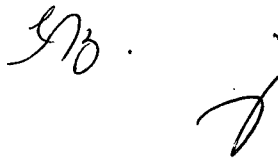
Find enclosed herewith the Final Evaluation Report (as per Rule 35 of PP Rules, 2004) for the subject Works for uploading on PPRA website at the earliest, please.


(SAMI UR RAHMAN)
General Manager (P&CA)

Enclosure: Final Evaluation Report along with **Annex-I**

Copy for kind information to:

- Member (Planning), NHA, Islamabad;
- Member (PPP), NHA, Islamabad;
- General Manager (PPP), NHA, Islamabad;
- Director (P&CA)-II, NHA, Islamabad;
- Director (MIS), NHA, Islamabad.



**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	Construction of 6-Lane Hyderabad-Sukkur Motorway under Public Private Partnership on Build-Operate-Transfer Basis
4	Tendering Inquiry No.	2(519)
5	PPRA Ref. No. (TSE)	TS460286E
6	Date & Time of Bid Closing	25 th November, 2021 at 1530 hours
7	Date & Time of Bid Opening	25 th November, 2021 at 1600 hours (Technical Proposal Opening) 27 th January, 2022 at 1100 hours (Financial Proposal Opening)
8	No. of Bids Received	Two (02)
9	Criteria for bid evaluation	Relevant Pages of RFP are attached
10	Details of bid(s) evaluation	As mentioned below


Sr. No	Name of Bidder	Marks		Evaluated/Bid Cost (Rs.)	Capital VGF demanded (Million)	Total Operational VGF demanded (Million)	NHA revenue Share (PV term) Million	Position	Rule/Regulation/SB D*/Policy/Basis for Rejection /Acceptance as per Rule 35 of PP Rules, 2004.
		Technical	Financial						
I	*M/s Techno-CMC-ACC Consortium	71	98.43	307,701,850,000	9,500	Nil	73,580	1 st	
II	M/s Zahir Khan & Brothers	75	24.24	275,256,403,749	37,000	143,994	20,111	2 nd	

*** M/s Techno-CMC-ACC Consortium was initially disqualified by the Bid Opening & Evaluation Committee. But, later, Grievances Redressal Committee (GRC) deliberated upon the grievance and accorded its decision that the Consortium is technically qualified.**

[Handwritten signature]

Most Advantageous Bidder: **M/s Techno-CMC-ACC Consortium**

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

Signature: 
General Manager (P&CA)
National Highway Authority
Islamabad

Official Seal / Stamp: _____

Handwritten initials or marks

D. EVALUATION PROCESS, CRITERION AND PROCEDURES

D.1 The Overall Evaluation Process

NHA will use the evaluation criteria described in this Section of the RFP to determine the highest evaluated Bid. The evaluation process will consist of a four step approach that includes:

- i. responsiveness;
- ii. eligibility;
- iii. technical evaluation; and
- iv. financial evaluation.

D.1.1 Responsiveness

NHA shall first ensure that following requirements are met in order to ascertain responsiveness of the bid:

- a. Bid Security is attached in the amount and format as prescribed in the RFP;
- b. Bid is submitted by the Proposal Due Date including any extension thereof;
- c. Bid is accompanied by the power of attorney authorizing a representative to sign the Bid;
- d. Each page of the Bid is signed and stamped by the authorized representative;
- e. A copy of RFP is attached with each page duly signed and stamped by the authorized representative; and
- f. Bid contains number of copies (complete in all respects) as required in this RFP.

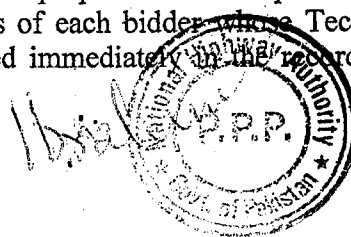
D.1.2 Bid Opening

At the date, time and location specifically announced by NHA, proposal packages received from the Bidders shall be opened in the manner described in **Section E.5**.

NHA shall first determine whether or not the Bidders' Technical and Financial Proposals are contained in separately sealed envelopes. NHA shall announce to those persons present at the Proposal Opening (and upon request to a Bidder who submitted a proposal but is not present or represented at the Proposal Opening), the name and address of each bidder whose package is opened. Such announcement shall be recorded immediately in the record of the tendering proceedings.

In order to objectively evaluate Technical Proposals without being influenced by financial data, bidders failing to separate Technical and Financial Proposals shall be deemed non-responsive and will be so recorded in the record of the tendering proceedings.

NHA shall then determine whether or not Bidders have included Bid Securities in their Technical proposals. NHA shall announce, to those persons present at the Proposal Opening (and, on any request by a bidder who submitted a proposal but is not present or represented at the Proposal Opening), the name and address of each bidder whose Technical proposal is opened. Such announcement shall be recorded immediately in the record of the tendering



proceedings. Bidders failing to provide the required Bid Security shall be deemed non-responsive and so recorded immediately in the record of the tendering proceedings.

NHA shall not evaluate either the Technical or the Financial Proposal from any bidder determined to be **non-responsive**, as reflected in the record of the tendering proceedings.

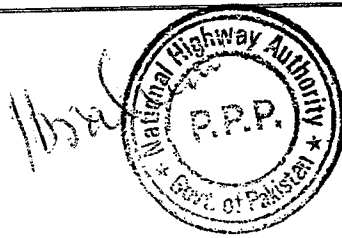
The public portion of the Proposal Opening will then be closed.

NHA shall separately, and privately, evaluate responsive proposals in accordance with the evaluation criteria detailed in this **Section D.2 & D.3** of the RFP subsequent to meeting eligibility criteria given in the following section.

D.1.3 Eligibility

The eligibility of the bidder and all parties constituting the bidder shall be assessed on the following parameters of the responsive bids:

Sr. No.	Eligibility Factor
1.	<p>Registration of Bidder with Tax Authorities</p> <p>a. The bidder must possess valid registration certificate from income tax authority (i.e., the NTN certificate). In case of a consortium/ JV, all members of the consortium/ JV must possess the requisite registration certificate</p> <p>b. Valid NTN certificate(s) and proof of filing tax returns for the last year to be attached.</p> <p>c. Foreign entities, if participating in the bidding process, should submit tax certificate of their country duly translated in English and duly attested by Pakistani Consulate / High Commission in their country or their country's Embassy / High Commission in Pakistan.</p>
2.	<p>Registration of Constructor(s) with Pakistan Engineering Council (PEC)</p> <p>a. The constructor(s) must possess valid PEC registration certificate in category 'CA' and in discipline CE01, CE02 & CE-10.</p> <p>b. Copy of Valid PEC registration certificate(s) to be attached.</p> <p>c. In case there is more than one constructor, all such constructors must provide valid PEC license in above-mentioned category and disciplines.</p> <p>d. PEC registration of foreign entity in category FC-A will be required. In accordance with PEC Construction Bylaws, foreign constructor will be required to enter into joint venture with Pakistani firm registered with PEC in category as mentioned above. Foreign constructor will employ minimum 70% Pakistani engineers of relevant discipline/ field on the project.</p>



Sr. No.	Eligibility Factor
3.	<p>Specific Construction Experience of Constructor(s)</p> <p>The constructor must have substantially completed the construction of minimum one (01) PPP/ BOT/ EPC contract in the road sector nationally or internationally within the last twenty (20) years. The similarity shall be reckoned as comprising of construction of minimum 75 Km 4-lane of motorway / expressway. The presented work shall comprise of at least: earthworks, sub-base and aggregate base course, asphaltic course and structures etc. In case of consortium or JV of the constructors, lead constructor must meet the requirement.</p> <p>Letter of Award/ Acceptance and Completion/ Substantial Completion Certificate of PPP/BOT/EPC project as mentioned above must be provided with the Documents.</p>
4.	<p>Net Worth of Bidder</p> <p>Members of the Consortium/JV who are proposed to be shareholders/ equity holders as per the consortium/ JV agreement shall have collective Net Worth of Pak Rupees 45,000 million or US\$ 280 million.</p> <p>Each partner must meet as per their proposed JV share.</p> <p>Audited financial reports for last Three (03) years of each equity holder/ shareholder must be provided to demonstrate the current soundness of the bidder's financial position and its prospective long term profitability.</p>
5.	<p>Non-Blacklisting of Bidder</p> <p>a. The bidder or any member of the consortium/JV should not be presently under blacklisting by NHA or their respective regulatory bodies.</p> <p>b. Blacklisting of any member of the consortium/JV shall cause disqualification of the bidder.</p> <p>c. The bidder and all members of the consortium/JV shall submit an Affidavit, on the stamp paper of worth PKR 100/-, to this effect.</p>

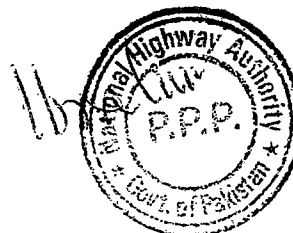
In case, the bidder is found eligible as per criteria detailed in D.1.3, its proposals shall be evaluated. If it is assessed that the bidder does not meet the eligibility criteria, its proposals shall not be further evaluated.

D.2 Technical Proposal Evaluation Criteria

The Technical Proposals of only those bidders shall be evaluated who will qualify as eligible bidder. NHA shall evaluate the bids and score each Technical Proposal on a scale up to one hundred (100) points. In the event NHA has evaluated and assigned the score of less than seventy (70) points to a Technical Proposal, NHA shall not open/evaluate the Financial Proposal submitted by that Bidder. Where NHA has evaluated and assigned the score of seventy (70) points or more of a Technical Proposal, NHA shall then individually evaluate and individually score the Financial Proposal submitted by that Bidder.

NHA has developed a list of evaluation factors that will be used to evaluate each Technical Proposal based on assessments to determine which factors were of critical importance to the selection of the Bidder. The following is a list of the quantitative factors and their associated maximum Technical score which will be used for the evaluation of Technical Proposal(s):

Sr. No.	Evaluation Factor	Max. Marks	
		Individual	Total
1	Managerial, Technical & Construction Qualifications a. Proposed Project Implementation Structure: The Bidder must provide the organization structure of the JV/consortium with clear delineation of roles of each member as follows (each item carries maximum 03 marks): (i) Each partner's/ sponsor's proposed share in the equity contribution towards the Project. The maximum equity share holder/ sponsor shall be designated as a lead partner in the Bid. (ii) The constructor(s) who will take part in construction shall be defined along with their construction share in percentage. The local constructors as per the PEC byelaws shall be defined (in case of foreign Bidder). (iii) The project management entity for design and construction supervision shall also be defined by the Bidder in its Bid. b. Relevant Experience of the Bidder: i. Financial Close of any project – (03 marks) ii. Design of 4/6 lane expressway/motorway – (03 marks) iii. Construction Supervision of 4/6 lane expressway/motorway – (03 marks) iv. Construction of minimum 75 Km 4-lane/ 6 lane stretch of motorway/ expressway – (06 marks)	09	28
		15	



Sr. No.	Evaluation Factor	Max. Marks	
		Individual	Total
	c. Proposed key personnel for the Project (<i>each CV carries maximum 01 mark</i>): <ul style="list-style-type: none"> i. Chief Executive Officer / Managing Director ii. Finance Manager/ Financial Consultant iii. Project Manager iv. O&M Manager 	04	
2	Appreciation of scope of Works		45
	a. Linear plan, indicating all important features of the Project and the Bidder's concept	3	
	b. Traffic study: thorough analysis and projections to be shown	10	
	c. Preliminary design, typical cross-section & typical drawings of (<i>each item carries maximum 04 marks</i>):	20	
	i. Plan and Profile		
	ii. Bridges		
	iii. Interchanges & service areas		
	iv. Flyovers, underpasses, cattle creeps and pedestrian crossings		
	v. Toll plazas & weigh stations		
	d. ITS, Motorway & safety features and allied Motorway facilities & systems well explained supported by pictorial manner	5	
	e. Environmental Plan	3	
	f. Project cost basis & analysis	4	
3	Project Implementation Methodology:		27
	a. Construction methodology for Motorway and Intelligent Transport System including CPM with resource loading	7	
	b. Machinery and plant owned and to be available for the project (availability to be confirmed through Affidavit);	5	
	c. Corporate Social Responsibility plans	3	
	d. Work zone safety & traffic diversion plans	3	
	e. Operation & maintenance plan, procedures and systems	6	
	f. Innovations	3	
TOTAL:			100



D.3 Financial Proposal Evaluation Criteria

The Financial Proposals of only those bidders shall be opened who will qualify by scoring minimum 70 points, out of total 100 points, in technical evaluation.

The Financial Evaluation Criteria shall be as follows:

Sr. No.	Evaluation Factor	Marks
1	Project Cost	15
2	Total Capital VGF during Construction Period	20
3	Annual equal installment of Operational VGF during Operations Period	50
4	NHA's Revenue Share	15
TOTAL:		100

- Project Cost:** The Bidder, who quoted minimum Project Cost, shall be given maximum marks and other Bidders shall get proportionately lower marks.
- Capital VGF during Construction Period:** The Bidder, who quoted the lowest amount of Total Capital VGF during Construction Period subject to a maximum of Rs. 43.00 Billion shall be given the maximum marks and other Bidders shall get proportionately lower marks.

For avoidance of doubt, it is clarified that the Bidder has to quote the Total Capital VGF during Construction Period to a maximum limit of Rs 43.00 Billion and the Bidder quoting Total Capital VGF in excess of Rs 43.00 Billion shall be declared as non-conforming and resultantly its Financial Proposal shall be rejected.

- Operational VGF during Operations Period:** The Bidder, who quoted the lowest amount of annual installment of Operational VGF during first seven (07) years of Operations Period shall be awarded the maximum marks and other Bidders shall get proportionately lower marks.

For avoidance of doubt, it is clarified that the Bidder has to quote the Operational VGF during the first seven (07) Operational years in annual equal installments or otherwise the Financial Bid shall be declared as non-conforming and resultantly shall be rejected.

- NHA's Revenue Share:** The Bidder, who offers maximum NHA's Revenue Share to NHA, in terms of Present Value, shall be given maximum marks and other Bidders shall get proportionately lower marks. The amount of NHA's Revenue Share shall be evaluated by the evaluation committee in terms of Present Value by using discount rate of ten percent (10%).

D.4 Final Evaluation Results

- The results of Financial Evaluation shall be considered as final results of the evaluation process to determine the final ranking of each proposal.



The bidder obtaining highest marks in the Financial Evaluation shall be the highest ranked bidder.

NHA may ask Bidder(s) for clarifications or presentation or additional information of their proposals in order to assist in the scrutiny, evaluation and comparison of proposals. No change in a matter of substance in the proposal, including changes in price and changes aimed at making a non-responsive Bid responsive, shall be sought, offered or permitted.

When clarification or presentation or additional information of proposals requires, NHA shall maintain a written "Minutes of Clarification" report. Adequate notice will be given to the Bidder prior to conducting the meeting.

- (b) Subject to approval by the Chairman NHA, NHA may reject all Bids at any time prior to signing of the PPP Agreement.

Notice of the rejection of all Bids shall be given promptly to all Bidders who submitted proposals. NHA shall upon request communicate to any Bidder which submitted a Bid, the grounds for rejection of all the bids, without justifying the grounds of such rejection.

NHA shall not bear any liability (legal, financial etc.), solely by virtue of its invoking this provision and rejecting all submitted Bids.

- (c) Subject to approval by the Chairman NHA, NHA shall reject a Bid if the Bidder offers, gives or agrees to give, directly or indirectly, to any officer or employee of NHA or any other governmental authority a gratuity in any form, an offer of employment or any other thing of service or value, as an inducement with respect to an act or decision of, or procedure followed by, NHA in connection with this tendering process. Such rejection of the Bid and the reasons thereof shall be recorded in the record of the proceedings and promptly communicated to the Bidder.

D.5 Bond and Security Requirements

D.5.1 Bid Security

For a Bid to be responsive, each Bidder is required to provide as a part of its Technical Proposal a Bid Security in the amount of **PKR 150,000,000 (Pak Rupees one hundred fifty million only)**. The Bid Security shall be denominated in Pakistani Rupees, and shall be in the form of:-

- (a) a cash deposit; or
- (b) a pay order or demand draft drawn on a scheduled bank having a branch in Islamabad; or
- (c) a confirmed irrevocable, unconditional and without recourse letter of credit, payable at once on the request from NHA requiring payment there under, issued by a bank located in the Islamic Republic of Pakistan or a country abroad acceptable to NHA and confirmed by a bank having a branch in Islamabad; or
- (d) a bank guarantee in the form specified in Appendix-2.

