



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. 1(10) GM (RAMD)/NHA/2023/950

Islamabad 17th May 2023

Director (MIS),

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

Subject: **REHABILITATION WORKS OF KHYBER PAKHTUNKHWA REGION
BETWEEN KM 517+00 – 521+500 (N-50), KM 922-940 (NBC N-55),
KM 904-922 (N-55) & KM 922-940 (SBC N-55).**

Contract No: RH-KP-2019-20-2006 (D)
RH-KP-2018-19-2002 (D) NBC
RH-KP-2019-20-2008 (D)
RH-KP-2018-19-2002 (D) SBC

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 works in view of the above-referred PPRA Rule for uploading on your website at earliest, please.

(MUHAMMAD NASEEM KHATTAK)
General Manager (RAMD)

Enclosure: Combined Evaluation Report Along with **(Annex-I)**

Cc:

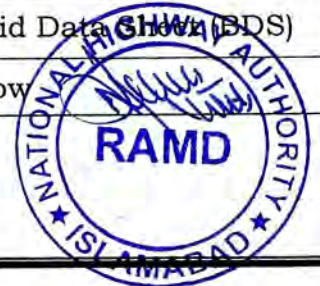
- Member (Engg-Coord) NHA, Islamabad.
- Director (MIS) NHA, Islamabad. - **to upload the same on NHA website as well.**
- Dy. Director (Structures) RAMS NHA, Islamabad.
- File



**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	Pre-Qualification & Single Stage One Envelop	
3	Title of Procurement	<p>1.Rehabilitation Work Between KM 517+000 – 521+500 on N-50 (KPK Region)</p> <p>2.Rehabilitation Work Between KM 922+000 – 940+000 (NBC) on N-55 (KPK Region)</p> <p>3. Rehabilitation Work Between KM 904+000 – 922+000 on N-55 (KPK Region)</p> <p>4. Rehabilitation Work Between KM 922+000 – 940+000 (SBC) on N-55 (KPK Region)</p>	
4	Tender Inquiry No	<p>RH-KP-2019-20-2006 (D)</p> <p>RH-KP-2018-19-2002 (D) (NBC)</p> <p>RH-KP-2019-20-2008 (D)</p> <p>RH-KP-2018-19-2002 (D) (SBC)</p>	
5	PID No. & PPRA Ref No.	PID(I)4469/22 & TS501093E	
6	RH-KP-2019-20-2006 (D)	Date & Time of Technical Bid (Closing/Opening)	07 th February 2023 at (1200 Hours/1230 Hours)
	RH-KP-2018-19-2002 (D)		
	RH-KP-2019-20-2008 (D)	Date & Time of Price Bid (Closing/Opening)	07 th April 2023 at (1030 Hours/1100 Hours)
	RH-KP-2018-19-2002 (D)		
7	No. of Bids Received	<p>Thirty-Two (32)</p> <p>Twenty-Two (22)</p> <p>Twenty-Three (23)</p> <p>Twenty-Three (23)</p>	
8	Criteria for bid evaluation	As per attached Bid Data Sheet (BDS)	
9	Details of bid evaluation	As mentioned below	

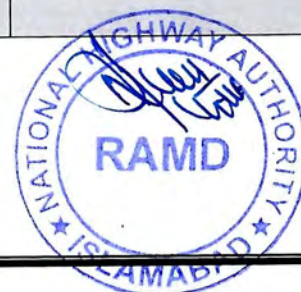


RH-KP-2019-20-2006 (D)						
Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD*/Policy/ Basis for Rejection / Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
1	M/s SMC Joint Venture	Qualified	NA	NA	533,243,634	1 st
2	M/s Zahir Khan and Brother (ZKB)	Qualified	NA	NA	566,380,970	2 nd
3	M/s Sherjan Mosakhail & Sons	Qualified	NA	NA	617,001,741	3 rd

Most Advantageous Bidder : M/s SMC Joint Venture

RH-KP-2018-19-2002 (D) (NBC)						
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)		
1	M/s SMC Joint Venture	Qualified	NA	NA	1,818,970,328	1 st
2	M/s Zahir Khan and Brother (ZKB)	Qualified	NA	NA	1,870,673,458	2 nd
3	M/s Metracon Pakistan PVT. LTD	Qualified	NA	NA	1,909,645,725	3 rd

Most Advantageous Bidder : M/s SMC Joint Venture



RH-KP-2019-20-2008 (D)

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)		
1	M/s SMC Joint Venture	Qualified	NA	NA	1,780,269,394	1 st
2	M/s Zahir Khan and Brother (ZKB)	Qualified	NA	NA	1,830,937,735	2 nd
3	M/s Sherjan Mosakhail & Sons	Qualified	NA	NA	1,945,076,532	3 rd

Most pAdvantageous Bidder : M/s SMC Joint Venture

RH-KP-2018-19-2002 (D) (SBC)

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)		
1	M/s SMC Joint Venture	Qualified	NA	NA	1,812,492,275	1 st
2	M/s Zahir Khan and Brother (ZKB)	Qualified	NA	NA	1,887,215,108	2 nd
3	M/s Metracon Pakistan PVT. LTD	Qualified	NA	NA	1,906,670,993	3 rd

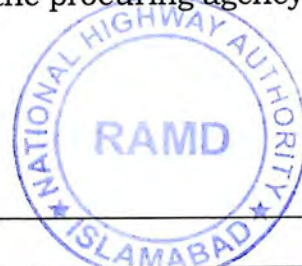
Most Advantageous Bidder : M/s SMC Joint Venture

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

Signature: _____



Seal / Stamp: _____





FRIENDLY HIGHWAYS

MINISTRY OF COMMUNICATIONS
NATIONAL HIGHWAY AUTHORITY

e-Bidding System

شفاف، تیز اور جدید

Bidding Data (Single Stage One Envelop procedure following prequalification)

The following specific data for the Works to be bided shall complement, 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. **Bid submitted, by using the NHA e-bidding system, will only be considered.**

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. 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 0340-0026666).

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 Preparation 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.

Instructions to Bidders

Clause Reference

1.1 Name and Address of the Employer:

National Highway Authority, Peshawar
Ministry of Communications
NHA office Complex Chamkani Interchange Peshawar
Tel: 091-9225002/9225027, Fax: 091-9225003,
Email: gmmaint-kps@nha.gov.pk

Rehabilitation KM 517+00 to 521+00 on N-50 Contract No. RH-KP-2019-20-2006(D)



1.1 Name of the Project and Summary of the Works

Rehabilitation KM 517+00 to 521+00 on N-50

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

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

3. Eligible Bidders (and Qualification Criteria)

Those applicants who are prequalified in response to advertisement for the proposal for prequalification for the Works mentioned in clause 1.1 above, **and who are registered with Income Tax and Sales Tax Departments and who are on Active Taxpayers List of the Federal Board of Revenue and registered with Pakistan Engineering Council in C-3 or above having Specialization in CE-01 & CE-10** (Valid up to 30 June 2022 & 23 is mandatory to be eligible) are only eligible to submit their e-Bid. Prospective Prequalified bidders are required to create their "On-line User Account" for participation in the bidding of Works.

4.1 One Bid per Bidder

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

7.1 Contents of Bidding Documents

The Bidding Documents, in addition to invitation for bids, are those stated below and should be read in conjunction with any Addenda issued in accordance with Clause IB.9

1. Instructions to Bidders.
2. Bidding Data Sheet.
3. Form of Bid.
4. Appendices to Bid (A to L).
5. Forms of Bid Security, Credit Line Facility, and Income Tax Exemption.
6. Form of Performance Security.
7. Forms of Contract Agreement, and Mobilization Advance Guarantee.
8. General Conditions of Contract, Part-I (GCC).
9. Particular Conditions of Contract, Part-II (PCC)
10. Special Provisions (Contractual).
11. Particular Specifications/ Special Provisions.
12. NHA General Specifications-1998 and its Addenda.
13. Drawings.
14. Minutes of NHA Executive Board 289th Meeting dated 30th November 2017 and its amendments for Compliance.

8.1 Time Limit for Clarification



Minimum number of days to seek clarification by the prospective bidder is Five (5) 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 bidding 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 in non-English language submitted without regard to the procedure as above (a, b & c) shall not be considered. Original Documents to be enclosed in the Envelope containing the Hard copy of Bid, if not provided in the Application submitted for Pre-Qualification.

11 Document Accompanying 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 Prequalified 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 "All Tenders" in main dashboard.
- c) A list of tenders will appear, having button "View". A button "Bid" will appear at the end of running tenders only.
- d) To view the bidding document of desired tender, click on "View".
- e) To respond (i.e prepare and submit) the tender, click on "Bid".
A screen having data of tender will appear. Click on "Start Bid Response".
- f) Click on "Bidding Document (s)" tab.
- g) For preparation of e-Bid, Prospective Bidders are initially required to fill the details and attach the documents as per instructions, by clicking the tab "Technical". Please prepare the Bid by uploading the scan copy of following documents as instructed in the e-Bidding System:
 - i. Letter
Sign and stamp the Letter of Invitation issued to the Bidder. Scan and attach the same by clicking the button "Edit Response"
 - ii. Bid Security
Prepare the Bid Security as per IB 15 of Instructions to Bidders and Bidding Data. Scan and attach the same by clicking the button "My Response"
- h) After uploading the documents "Letter of Invitation" and "Bid Security" in the "Technical" Tab, click on "Financial" Tab. Two Sub-tabs having title "Bill of Quantities" and "Sections" will appear.

For Capital Works

Click on the "Bill of Quantities" Tab and quote rate against each BOQ item displayed in the Bill of Quantities (BOQ). The system will automatically calculate the Bid Price based on the quoted rates.

For Maintenance Works only

Click on the "Bill of Quantities" Tab and 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.

Click on the second tab "Sections" and prepare the remaining part of e-Bid by uploading the following documents:

- i. Letter:
Download the Letter of Bid and upload it with company's stamp & sign.



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

The Bid must accompany a Power of Attorney on Judicial stamp paper 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. attaching of original Power of Attorney in hard copy of bid is mandatory, Non availability /submissions shall lead to disqualification.

iii. 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 1st 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.

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

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.

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.

v. Valid Certificate of Registration from Pakistan Engineering Council

Valid Certificate of Registration (Constructor's License) from Pakistan Engineering Council for the year 2022 & 23 up to 30 June 20

vi. 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.

vii. Special Stipulations (Appendix - A)

as filled by the Employer

viii. Foreign Currency Requirements Appendix-B to Bid:
(Attach as -- NOT APPLICABLE)

ix. Price Adjustment (Under Clause 70) Appendix-C to Bid:

Applicable

x. Bill of Quantities Appendix-D to Bid:

As issued blank BOQ should also be attached

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

Bidders shall update (if any) the information previously submitted with the application for Pre-Qualification.

In case of no update, bidder is not required to submit Appendix-G to Bid.

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

Not Applicable.



xiv. Estimated progress payments (Appendix – J)

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

xv. 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.

xvi. 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 nonresponsive.

- i) After finalization of all attachments and uploading on the e-Bidding system, 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.
- j) Click the button “Download PDF”. After downloading of “e-Bid” in PDF format, Bidder is required to print the PDF file.
- k) Sign and Stamp each page of the e-Bid (i.e. printed PDF file).
- l) Bind the pages to prepare the hard copy of e-Bid which will be put in envelop (i.e inner envelop) prior to sealing it.
- m) Outer envelop be prepared by putting the following documents in it:
 - i. Original Bid Security.
 - ii. Copy of Letter of Invitation (issued to Bidder) duly sign & stamp
 - iii. Sealed inner envelope as mentioned in sub para ‘m’ above.
- n) Seal the Outer envelop which will be called as 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.**

11.2 Add sub para (f) at the end:

(f) Creating a JV in the e-Bidding System:

- i. To apply as a JV, the "partner-in-charge" shall open "specific tender" from the list of "running tenders" and click on "Create Joint Venture".
- ii. The partner-in-charge should enter the e-mail address (duly registered with e-Bidding system) of the Member Firm (s).
- iii. The "partner-in-charge" 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 (s).
- v. On clicking the button "Approve" by the Member Partner (s), Joint Venture will be established for that "specific e-tender" in the e-Bidding system.
- vi. "Partner-in-charge" 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 "Partner-in-charge" will now use their dashboard to Bid for that specific Tender.

12.3 Bid Prices

Add following at the end of 2nd 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.”.

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 Fifty 150 Days** calendar days after the latest dead line for submission of bid.

15.1 Amount of Bid Security

The amount of Bid Security shall be **Rs. 5.8 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 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 **178 Days (One Hundred & Seventy Eight)** calendar days beyond the latest deadline for submission of Bids.

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

Venue: NHA office Complex Chamkani Interchange Peshawar
Time: Nil
Date: Nil

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 of the Bidding Data Sheet herein above.

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

NHA office Complex Chamkani Interchange Peshawar

19.2(b) Name and the Number of the Contract

Rehabilitation KM 517+00 to 521+00 on N-50
RH-KP-2019-20-2006(D)

20.1(a) Deadline for Submission of Bids

Not later than **1030 hours on 7th April 2023**

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 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 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. The committee will consider only those Bidders for opening of their e-Bids who are Prequalified and have submitted **the Bid Security (Original Hard Copy)**. After authentication from the Bid Opening & Evaluation Committee, the e-Bids will be decrypted and visible to the Committee for evaluation. **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. 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 e-bid Amount between the Letter of Bid and Bill of Quantities, the amount mentioned in the Bill of Quantities shall 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

Venue: NHA office Complex Chamkani Interchange Peshawar
Time: 1030 hours,
Date: **7th April 2023**

- 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 despatched 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.

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

- i. The successful bidder shall furnish to the Employer a Performance Security in the form and the amount stated in Clause 10.1 of Conditions of Contract Part-II & Appendix-A to Bid within a period of 28 days after the receipt of the Letter of Acceptance.
- ii. However, if the evaluated Bid Price is beyond 10% below the Engineer Estimate, the successful bidder shall have to provide additional Performance Security in the shape of Bank Guarantee only, as stipulated in Appendix-A to Bid.





FRIENDLY HIGHWAYS

MINISTRY OF COMMUNICATIONS
NATIONAL HIGHWAY AUTHORITY

e-Bidding System

شفاف، تیز اور جدید

Bidding Data

(Single Stage One Envelop procedure following prequalification)

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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. **Bid submitted, by using the NHA e-bidding system, will only be considered.**

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. 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 0340-0026666).

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 Preparation 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.

Instructions to Bidders

Clause Reference

1.1 Name and Address of the Employer:

National Highway Authority, Peshawar
Ministry of Communications
NHA office Complex Chamkani Interchange Peshawar
Tel: 091-9225002/9225027, Fax: 091-9225003,
Email: gmmaint-kps@nha.gov.pk

Rehabilitation KM 922+00 to 940+00 (SBC) on N-55 Contract No. RH-KP-2018-19-2002/01



1.1 Name of the Project and Summary of the Works

Rehabilitation KM 922+00 to 940+00 (SBC) on N-55

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

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

3. Eligible Bidders (and Qualification Criteria)

Those applicants who are prequalified in response to advertisement for the proposal for prequalification for the Works mentioned in clause 1.1 above, **and who are registered with Income Tax and Sales Tax Departments and who are on Active Taxpayers List of the Federal Board of Revenue and registered with Pakistan Engineering Council in C-2 or above having Specialization in CE-01 & CE-10** (Valid up to 30 June 2022 & 23 is mandatory to be eligible) are only eligible to submit their e-Bid. Prospective Prequalified bidders are required to create their "On-line User Account" for participation in the bidding of Works.

4.1 One Bid per Bidder

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

7.1 Contents of Bidding Documents

The Bidding Documents, in addition to invitation for bids, are those stated below and should be read in conjunction with any Addenda issued in accordance with Clause IB.9

1. Instructions to Bidders.
2. Bidding Data Sheet.
3. Form of Bid.
4. Appendices to Bid (A to L).
5. Forms of Bid Security, Credit Line Facility, and Income Tax Exemption.
6. Form of Performance Security.
7. Forms of Contract Agreement, and Mobilization Advance Guarantee.
8. General Conditions of Contract, Part-I (GCC).
9. Particular Conditions of Contract, Part-II (PCC)
10. Special Provisions (Contractual).
11. Particular Specifications/ Special Provisions.
12. NHA General Specifications-1998 and its Addenda.
13. Drawings.
14. Minutes of NHA Executive Board 289th Meeting dated 30th November 2017 and its amendments for Compliance.

8.1 Time Limit for Clarification



Minimum number of days to seek clarification by the prospective bidder is Five (5) 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 bidding 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 in non-English language submitted without regard to the procedure as above (a, b & c) shall not be considered. Original Documents to be enclosed in the Envelope containing the Hard copy of Bid, if not provided in the Application submitted for Pre-Qualification.

11 Document Accompanying 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 Prequalified 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 “All Tenders” in main dashboard.
- c) A list of tenders will appear, having button “View”. A button “Bid” will appear at the end of running tenders only.
- d) To view the bidding document of desired tender, click on “View”.
- e) To respond (i.e prepare and submit) the tender, click on “Bid”.
A screen having data of tender will appear. Click on “Start Bid Response”.
- f) Click on “Bidding Document (s)” tab.
- g) For preparation of e-Bid, Prospective Bidders are initially required to fill the details and attach the documents as per instructions, by clicking the tab “Technical”. Please prepare the Bid by uploading the scan copy of following documents as instructed in the e-Bidding System:
 - i. Letter
Sign and stamp the Letter of Invitation issued to the Bidder. Scan and attach the same by clicking the button “Edit Response”
 - ii. Bid Security
Prepare the Bid Security as per IB 15 of Instructions to Bidders and Bidding Data. Scan and attach the same by clicking the button “My Response”
- h) After uploading the documents “Letter of Invitation” and “Bid Security” in the “Technical” Tab, click on “Financial” Tab. Two Sub-tabs having title “Bill of Quantities” and “Sections” will appear.

For Capital Works

Click on the “Bill of Quantities” Tab and quote rate against each BOQ item displayed in the Bill of Quantities (BOQ). The system will automatically calculate the Bid Price based on the quoted rates.

For Maintenance Works only

Click on the “Bill of Quantities” Tab and 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.

Click on the second tab “Sections” and prepare the remaining part of e-Bid by uploading the following documents:

- i. Letter:
Download the Letter of Bid and upload it with company's stamp & sign.



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

The Bid must accompany a Power of Attorney on Judicial stamp paper 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. attaching of original Power of Attorney in hard copy of bid is mandatory, Non availability /submissions shall lead to disqualification.

iii. 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 1st 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.

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

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.



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.

v. Valid Certificate of Registration from Pakistan Engineering Council

Valid Certificate of Registration (Constructor's License) from Pakistan Engineering Council for the year 2022 & 23 up to 30 June 20

vi. 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.

vii. Special Stipulations (Appendix – A)

as filled by the Employer

viii. Foreign Currency Requirements Appendix-B to Bid:
(Attach as -- NOT APPLICABLE)

ix. Price Adjustment (Under Clause 70) Appendix-C to Bid:

Applicable

x. Bill of Quantities Appendix-D to Bid:

As issued blank BOQ should also be attached

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

Bidders shall update (if any) the information previously submitted with the application for Pre-Qualification.

In case of no update, bidder is not required to submit Appendix-G to Bid.

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

Not Applicable.

xiv. Estimated progress payments (Appendix – J)

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

xv. 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.

xvi. 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 nonresponsive.

- i) After finalization of all attachments and uploading on the e-Bidding system, 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.
- j) Click the button “Download PDF”. After downloading of “e-Bid” in PDF format, Bidder is required to print the PDF file.
- k) Sign and Stamp each page of the e-Bid (i.e. printed PDF file).
- l) Bind the pages to prepare the hard copy of e-Bid which will be put in envelop (i.e inner envelop) prior to sealing it.
- m) Outer envelop be prepared by putting the following documents in it:
 - i. Original Bid Security.
 - ii. Copy of Letter of Invitation (issued to Bidder) duly sign & stamp
 - iii. Sealed inner envelope as mentioned in sub para ‘m’ above.
- n) Seal the Outer envelop which will be called as 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.**

11.2 Add sub para (f) at the end:

(f) Creating a JV in the e-Bidding System:

- i. To apply as a JV, the "partner-in-charge" shall open "specific tender" from the list of "running tenders" and click on "Create Joint Venture".
- ii. The partner-in-charge should enter the e-mail address (duly registered with e-Bidding system) of the Member Firm (s).
- iii. The "partner-in-charge" 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 (s).
- v. On clicking the button "Approve" by the Member Partner (s), Joint Venture will be established for that "specific e-tender" in the e-Bidding system.
- vi. "Partner-in-charge" 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 "Partner-in-charge" will now use their dashboard to Bid for that specific Tender.

12.3 Bid Prices

Add following at the end of 2nd 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."

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 Fifty 150 Days** 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. 19.5 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 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 **178 Days (One Hundred & Seventy Eight)** calendar days beyond the latest deadline for submission of Bids.

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

Venue: NHA office Complex Chamkani Interchange Peshawar
Time: Nil
Date: Nil

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 of the Bidding Data Sheet herein above.

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

NHA office Complex Chamkani Interchange Peshawar

19.2(b) Name and the Number of the Contract

Rehabilitation KM 922+00 to 940+00 (SBC) on N-55
RH-KP-2018-19-2002(D)

20.1(a) Deadline for Submission of Bids

Not later than **1030 hours on 7th April 2023**

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 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 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. The committee will consider only those Bidders for opening of their e-Bids who are Prequalified and have submitted **the Bid Security (Original Hard Copy)**. After authentication from the Bid Opening & Evaluation Committee, the e-Bids will be decrypted and visible to the Committee for evaluation. **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. 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 e-bid Amount between the Letter of Bid and Bill of Quantities, the amount mentioned in the Bill of Quantities shall 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

Venue: NHA office Complex Chamkani Interchange Peshawar
Time: 1030 hours,
Date: **7th April 2023**

- 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 despatched 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.

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

- i. The successful bidder shall furnish to the Employer a Performance Security in the form and the amount stated in Clause 10.1 of Conditions of Contract Part-II & Appendix-A to Bid within a period of 28 days after the receipt of the Letter of Acceptance.
- ii. However, if the evaluated Bid Price is beyond 10% below the Engineer Estimate, the successful bidder shall have to provide additional Performance Security in the shape of Bank Guarantee only, as stipulated in Appendix-A to Bid.





FRIENDLY HIGHWAYS

MINISTRY OF COMMUNICATIONS
NATIONAL HIGHWAY AUTHORITY

e-Bidding System

شفاف، تیز اور جدید

Bidding Data

(Single Stage One Envelop procedure following prequalification)

The following specific data for the Works to be bid shall complement, 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. **Bid submitted, by using the NHA e-bidding system, will only be considered.**

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. 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 0340-0026666).

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 Preparation 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.

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1.1 Name and Address of the Employer:

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NHA office Complex Chamkani Interchange Peshawar
Tel: 091-9225002/9225027, Fax: 091-9225003,
Email: gmmaint-kps@nha.gov.pk

Rehabilitation KM 904+00 to 922+00 on N-55 Contract No. RH-KP-2019-20-2008



1.1 Name of the Project and Summary of the Works

Rehabilitation KM 904+00 to 922+00 on N-55

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

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

3. Eligible Bidders (and Qualification Criteria)

Those applicants who are prequalified in response to advertisement for the proposal for prequalification for the Works mentioned in clause 1.1 above, **and who are registered with Income Tax and Sales Tax Departments and who are on Active Taxpayers List of the Federal Board of Revenue and registered with Pakistan Engineering Council in C-2 or above having Specialization in CE-01 & CE-10** (Valid up to 30 June 2022 & 23 is mandatory to be eligible) are only eligible to submit their e-Bid. Prospective Prequalified bidders are required to create their "On-line User Account" for participation in the bidding of Works.

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7. Forms of Contract Agreement, and Mobilization Advance Guarantee.
8. General Conditions of Contract, Part-I (GCC).
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10. Special Provisions (Contractual).
11. Particular Specifications/ Special Provisions.
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9.2 Amendment of Bidding Documents

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- 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 in non-English language submitted without regard to the procedure as above (a, b & c) shall not be considered. Original Documents to be enclosed in the Envelope containing the Hard copy of Bid, if not provided in the Application submitted for Pre-Qualification.

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 - c) A list of tenders will appear, having button "View". A button "Bid" will appear at the end of running tenders only.
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 - e) To respond (i.e prepare and submit) the tender, click on "Bid".
A screen having data of tender will appear. Click on "Start Bid Response".
 - f) Click on "Bidding Document (s)" tab.
 - g) For preparation of e-Bid, Prospective Bidders are initially required to fill the details and attach the documents as per instructions, by clicking the tab "Technical". Please prepare the Bid by uploading the scan copy of following documents as instructed in the e-Bidding System:
 - i. Letter
Sign and stamp the Letter of Invitation issued to the Bidder. Scan and attach the same by clicking the button "Edit Response"
 - ii. Bid Security
Prepare the Bid Security as per IB 15 of Instructions to Bidders and Bidding Data. Scan and attach the same by clicking the button "My Response"
 - h) After uploading the documents "Letter of Invitation" and "Bid Security" in the "Technical" Tab, click on "Financial" Tab. Two Sub-tabs having title "Bill of Quantities" and "Sections" will appear.

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Click on the "Bill of Quantities" Tab and quote rate against each BOQ item displayed in the Bill of Quantities (BOQ). The system will automatically calculate the Bid Price based on the quoted rates.

For Maintenance Works only

Click on the "Bill of Quantities" Tab and 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.

Click on the second tab "Sections" and prepare the remaining part of e-Bid by uploading the following documents:

- i. **Letter:**
Download the Letter of Bid and upload it with company's stamp & sign.



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

The Bid must accompany a Power of Attorney on Judicial stamp paper 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. attaching of original Power of Attorney in hard copy of bid is mandatory, Non availability /submissions shall lead to disqualification.

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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 1st 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.

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

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.



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.

v. Valid Certificate of Registration from Pakistan Engineering Council

Valid Certificate of Registration (Constructor's License) from Pakistan Engineering Council for the year 2022 & 23 up to 30 June 20

vi. 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.

vii. Special Stipulations (Appendix – A)

as filled by the Employer

viii. Foreign Currency Requirements Appendix-B to Bid:
(Attach as -- NOT APPLICABLE)

ix. Price Adjustment (Under Clause 70) Appendix-C to Bid:

Applicable

x. Bill of Quantities Appendix-D to Bid:

As issued blank BOQ should also be attached

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

Bidders shall update (if any) the information previously submitted with the application for Pre-Qualification.

In case of no update, bidder is not required to submit Appendix-G to Bid.

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

Not Applicable.

xiv. Estimated progress payments (Appendix – J)

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

xv. 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.

xvi. 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 nonresponsive.

- i) After finalization of all attachments and uploading on the e-Bidding system, 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.
- j) Click the button “Download PDF”. After downloading of “e-Bid” in PDF format, Bidder is required to print the PDF file.
- k) Sign and Stamp each page of the e-Bid (i.e. printed PDF file).
- l) Bind the pages to prepare the hard copy of e-Bid which will be put in envelop (i.e inner envelop) prior to sealing it.
- m) Outer envelop be prepared by putting the following documents in it:
 - i. Original Bid Security.
 - ii. Copy of Letter of Invitation (issued to Bidder) duly sign & stamp
 - iii. Sealed inner envelope as mentioned in sub para ‘m’ above.
- n) Seal the Outer envelop which will be called as 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.**

11.2 Add sub para (f) at the end:

(f) Creating a JV in the e-Bidding System:

- i. To apply as a JV, the "partner-in-charge" shall open "specific tender" from the list of "running tenders" and click on "Create Joint Venture".
- ii. The partner-in-charge should enter the e-mail address (duly registered with e-Bidding system) of the Member Firm (s).
- iii. The "partner-in-charge" 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 (s).
- v. On clicking the button "Approve" by the Member Partner (s), Joint Venture will be established for that "specific e-tender" in the e-Bidding system.
- vi. "Partner-in-charge" 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 "Partner-in-charge" will now use their dashboard to Bid for that specific Tender.

12.3 Bid Prices

Add following at the end of 2nd 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."

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 Fifty 150 Days** 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. 18.7 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 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 **178 Days (One Hundred & Seventy Eight)** calendar days beyond the latest deadline for submission of Bids.

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

Venue: NHA office Complex Chamkani Interchange Peshawar
Time: Nil
Date: Nil

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 of the Bidding Data Sheet herein above.

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

NHA office Complex Chamkani Interchange Peshawar

19.2(b) Name and the Number of the Contract

Rehabilitation KM 904+00 to 922+00 on N-55
RH-KP-2019-20-2008(D)

20.1(a) Deadline for Submission of Bids

Not later than **1030 hours on 7th April 2023**

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 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 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. The committee will consider only those Bidders for opening of their e-Bids who are Prequalified and have submitted **the Bid Security (Original Hard Copy)**. After authentication from the Bid Opening & Evaluation Committee, the e-Bids will be decrypted and visible to the Committee for evaluation. **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. 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 e-bid Amount between the Letter of Bid and Bill of Quantities, the amount mentioned in the Bill of Quantities shall 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

Venue: NHA office Complex Chamkani Interchange Peshawar
Time: 1030 hours,
Date: **7th April 2023**

- 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 despatched 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.

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

- i. The successful bidder shall furnish to the Employer a Performance Security in the form and the amount stated in Clause 10.1 of Conditions of Contract Part-II & Appendix-A to Bid within a period of 28 days after the receipt of the Letter of Acceptance.
- ii. However, if the evaluated Bid Price is beyond 10% below the Engineer Estimate, the successful bidder shall have to provide additional Performance Security in the shape of Bank Guarantee only, as stipulated in Appendix-A to Bid.

