

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(49) GM (RAMD)/NHA/2023/1187

Islamabad 22nd June 2023

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

Subject: **PERIODIC MAINTENANCE (STRUCTURAL OVERLAY) WORK FROM
KM 1141+000 ~ 1153+000 (SBC) ON N-5 & (STRUCTURAL
OVERLAY) FROM KM 266+000 ~ 292+000 (NBC) ON MOTORWAY
M-4**

Contract No: PM-2021-22-PN-08
PM-2019-20-M4-02

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	Periodic Maintenance (Structural Overlay) from Km 1141+000 to 1153+000 (SBC) on N-5	
4	Tender Inquiry No	PM-2021-22-PN-08	
5	PPRA Ref No.	TS499217E	
6	PM-2021-22-PN-08	Date & Time of Technical Bid (Closing/(Opening))	16 th January 2023 at (1200 Hours/1230 Hours)
		Date & Time of Price Bid (Closing/Opening)	10 th May 2023 at (0930 Hours/1000 Hours)
7	No. of Bids Received	Twenty-Seven (27)	
8	Criteria for bid evaluation	As per attached Bid Data Sheet (BDS)	
9	Details of bid evaluation	As mentioned below	

PM-2021-22-PN-08

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 King Enterprises-Mustafa Enterprises (JV)	Qualified	NA	NA	628,836,341.41	1 st
2	M/s Muhammad Sajjad (Pvt) Ltd.	Qualified	NA	NA	646,912,267.56	2 nd
3	M/s Fazal Engineering Corporation	Qualified	NA	NA	666,883,373.92	3 rd


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4.	M/s KNK (Pvt.) Ltd.	Qualified	Non-Responsive due to non-Submission of Bid Security
5.	M/s SARCO (Pvt.) Ltd.	Qualified	Non-Responsive due to non-Submission of Bid Security

Most Advantageous Bidder: M/s King Enterprises-Mustafa Enterprises (JV)

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

Signature: 

Seal / Stamp: 



**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	Periodic Maintenance (Structural Overlay) from Km 266+000 to 292-000 NBC on M-4	
4	Tender Inquiry No	PM-2019-20-M4-02	
5	PPRA Ref No.	TS491207E	
6	PM-2019-20-M4-02	Date & Time of Technical Bid (Closing/(Opening)	14 th October 2022 at (1130 Hours/1200 Hours)
		Date & Time of Price Bid (Closing/Opening)	10 th May 2023 at (0930 Hours/1000 Hours)
7	No. of Bids Received	Twelve (12)	
8	Criteria for bid evaluation	As per attached Bid Data Sheet (BDS)	
9	Details of bid evaluation	As mentioned below	

PM-2019-20-M4-02

Sr. No.	Name of Bidders	Technical Evaluation Status	Marks		Evaluated Cost	Rule/Regulation/SBD*/ Policy/ Basis for Rejection / Acceptance as per Rule 35 of PP Rules, 2004
			Technical (if applicable)	Financial (if applicable)		
1	M/s Sh. Iqbal Akhtar	Qualified	NA	NA	399,986,733.29	1 st
2	M/s Fazal Engineering Corporation	Qualified	NA	NA	434,208,820.31	2 nd

NCL

3.	M/s Mushtaq & Sons (Pvt) Ltd.	Qualified	Non- Responsive due to non-submission of hard copy of e-bid
4.	M/s Madina Traders	Qualified	Non- Responsive due to non-submission of hard copy of e-bid

Most Advantageous Bidder: M/s Sh. Iqbal Akhtar

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

شفا، 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. 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
Member (Central Zone) Shahpur Interchange, Multan Road, Lahore
Tel: 92-42-99232696
Fax: 92-42-99232547
Email: dir-coord-cz@nha.gov.pk

1.2 Name of the Project and Summary of the Works

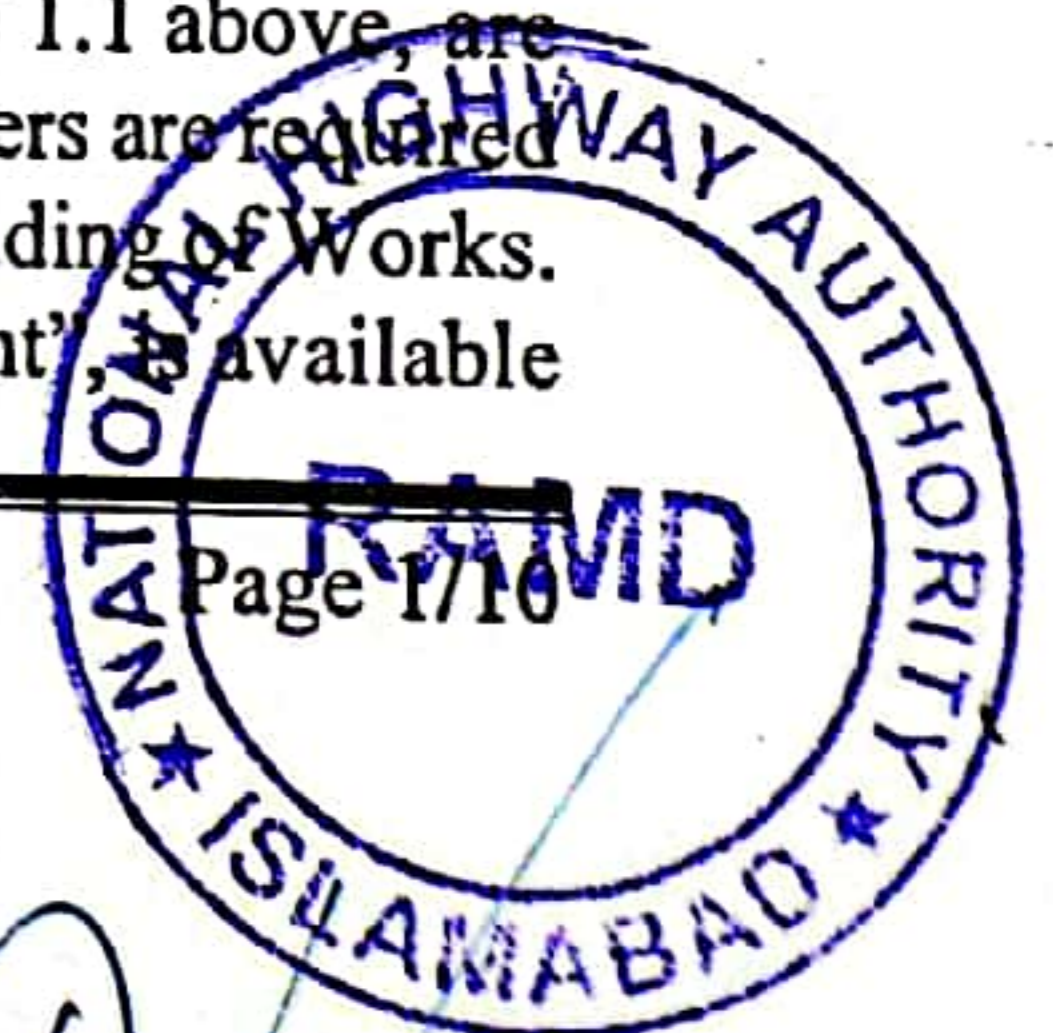
Periodic Maintenance (Structural Overlay) Work between KM: 1141+000 ~ 1153+000 (SBC) on N-5 under AMP 2021-22.

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

The Employer is funding the project through funds available under Road Maintenance Account (RMA) of National Highway Authority.

3. Eligible Bidders (and Qualification Criteria)

- a. Those applicants who are prequalified in response to advertisement for the proposal for prequalification for the Works mentioned in clause 1.1 above, 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. User Guide, illustrating the steps to create "On-line User Account", is available



10.1

at www.cbidding.nha.gov.pk Access to NHA e-bidding system for bidding will be granted upon submission of pre-requisite documents as per guideline. Bid submitted, by using NHA e-bidding system, will only be considered.

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 P).
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 Meeting and 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. Response of clarification (if any) will be communicated/published through an Addendum on NHA website.

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

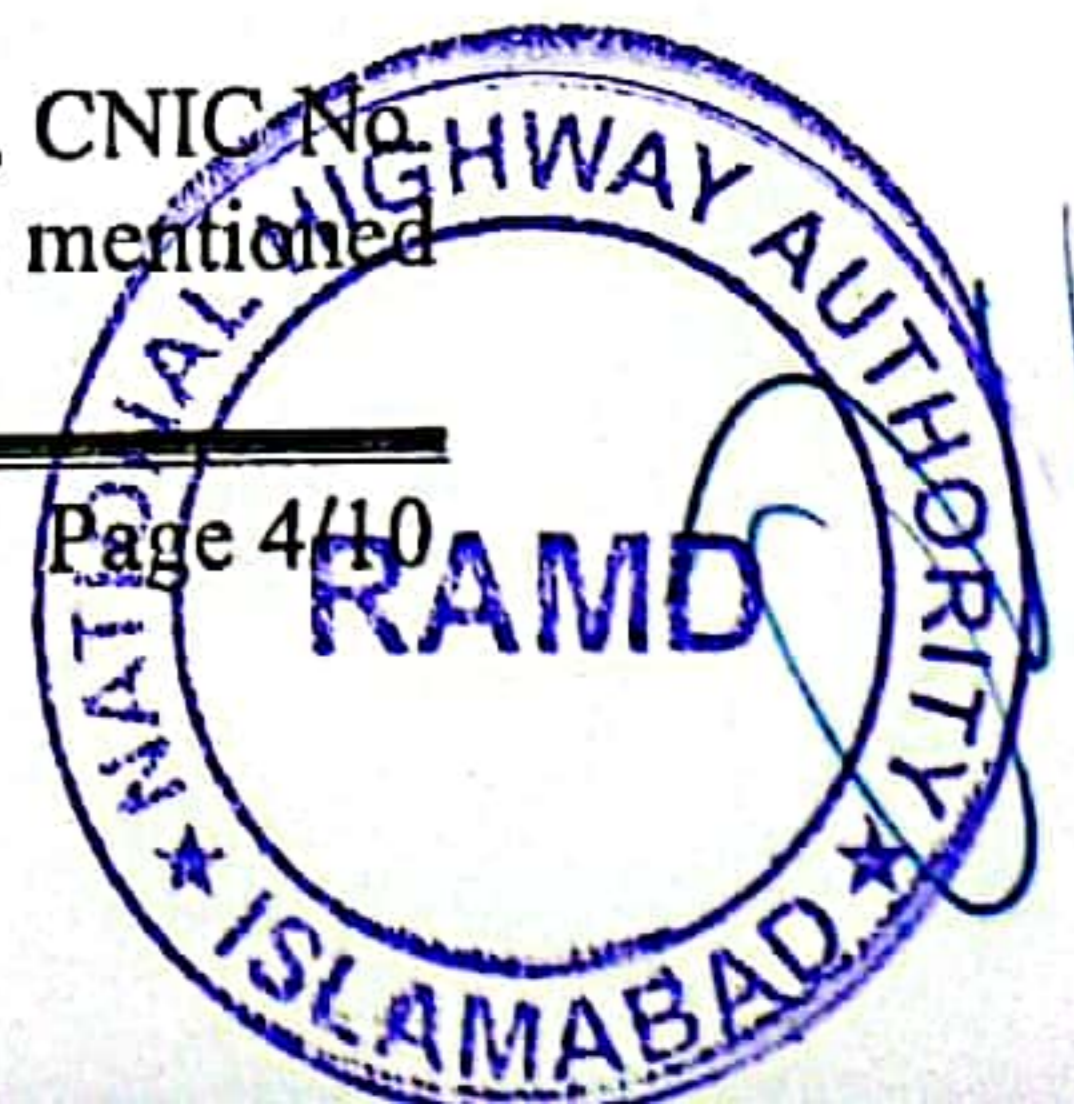
Click on the "Bill of Quantities" Tab and quote rate against each BOQ item displayed in the Bill of Quantities (BOQ). The system will automatically calculate the Bid Price based on the quoted rates.

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 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.
- iii. Written confirmation (Power of Attorney) authorizing the signatory of the Bid to commit the Bidder
Original Power of Attorney on Judicial Stamp Paper duly attested by Notary Public with original signatures to sign/commit the bid on following format must accompany the bid:
 - The person issuing authority of Power of Attorney shall provide the legal documents establishing his / her authority of issuing the Power of Attorney on behalf of Firm / Company / (for all partners of JV);
 - The name, designation / title in the Firm / Company, CNIC No. of the person issuing the Power of Attorney must be mentioned on the Power of Attorney.

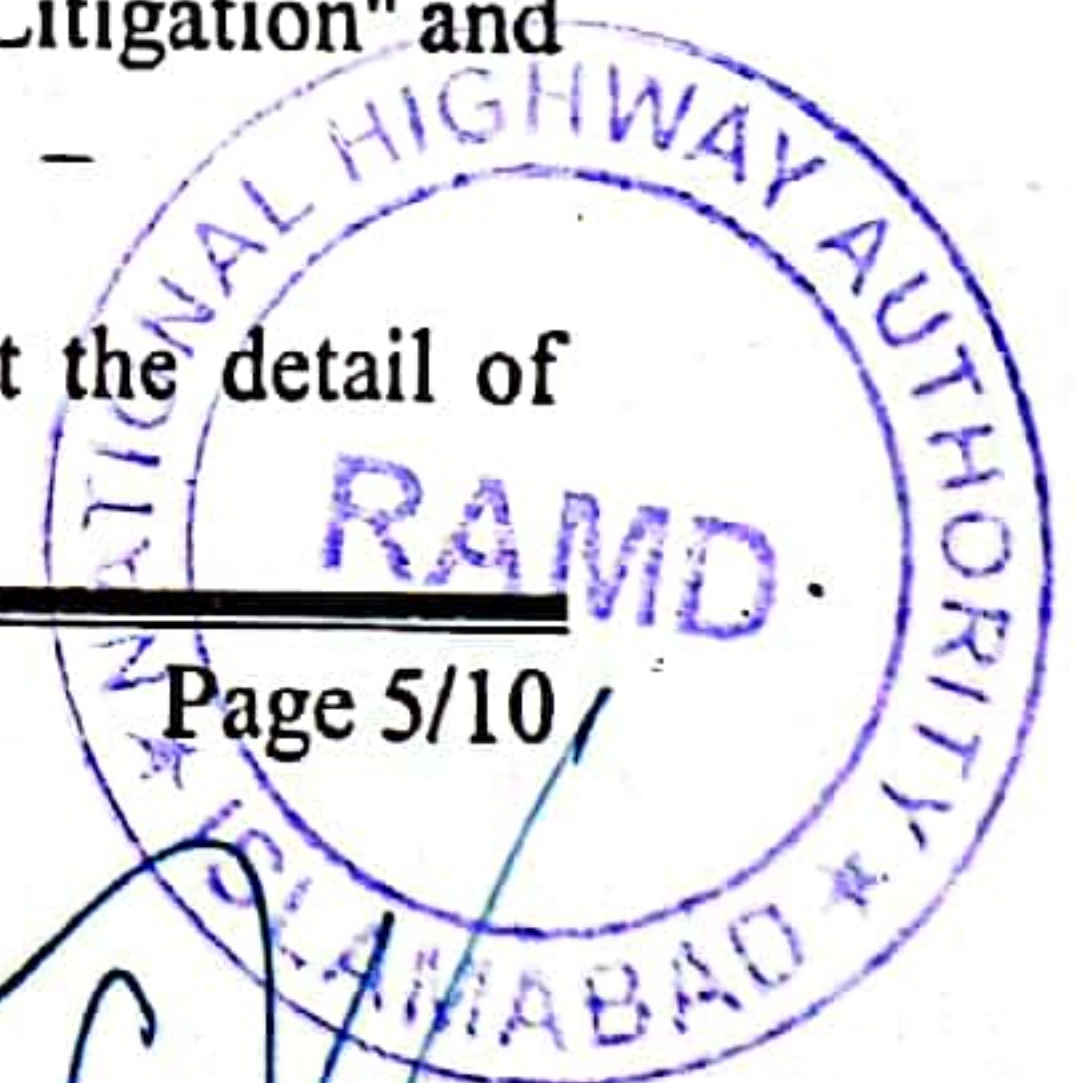


- The Power of Attorney shall bear the name, specimen signature, specimen initial of the signatory of the Bid as well as his designation / title in the Firm / Company and country identification number / CNIC No.
- iv. **Proposed Construction Schedule (Appendix -E)**
Summary of Proposed Construction Schedule as per Appendix - E to Bid must be enclosed to Bid. The Bidder shall provide the construction schedule in MS Project/ Primavera format.
- v. **List of Major Equipment – Related Items (Appendix- G)**
Bidder 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.
- vi. **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.
- vii. **Estimated progress payments (Appendix – J)**
Complete the Estimated progress payments (Appendix J) as per format available in the Bidding Document.
- viii. **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.
- ix. **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.
- x. **Financial Competence and Access to Financial Resources (Appendix- M)**
Bidder 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-M to Bid.
- xi. **Past Performance/ Experience (Appendix – N- BN1 and BN2)**
Pending litigation and No Blacklisting information:
Bidder shall update (if any) the information previously submitted with the application for pre-qualification regarding "Pending Litigation" and "No Blacklisting".

In case of no update, Bidder is not required to submit the detail of litigation pending and "No Blacklisting Listing".



- xii Qualification of Key Staff Experience (Appendix – O)
Bidder 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-O to Bid.

- xiii Current Commitments / Projects in Hand Experience (Appendix-P)
Bidder shall update (if any) the information previously submitted with the application for pre-qualification.

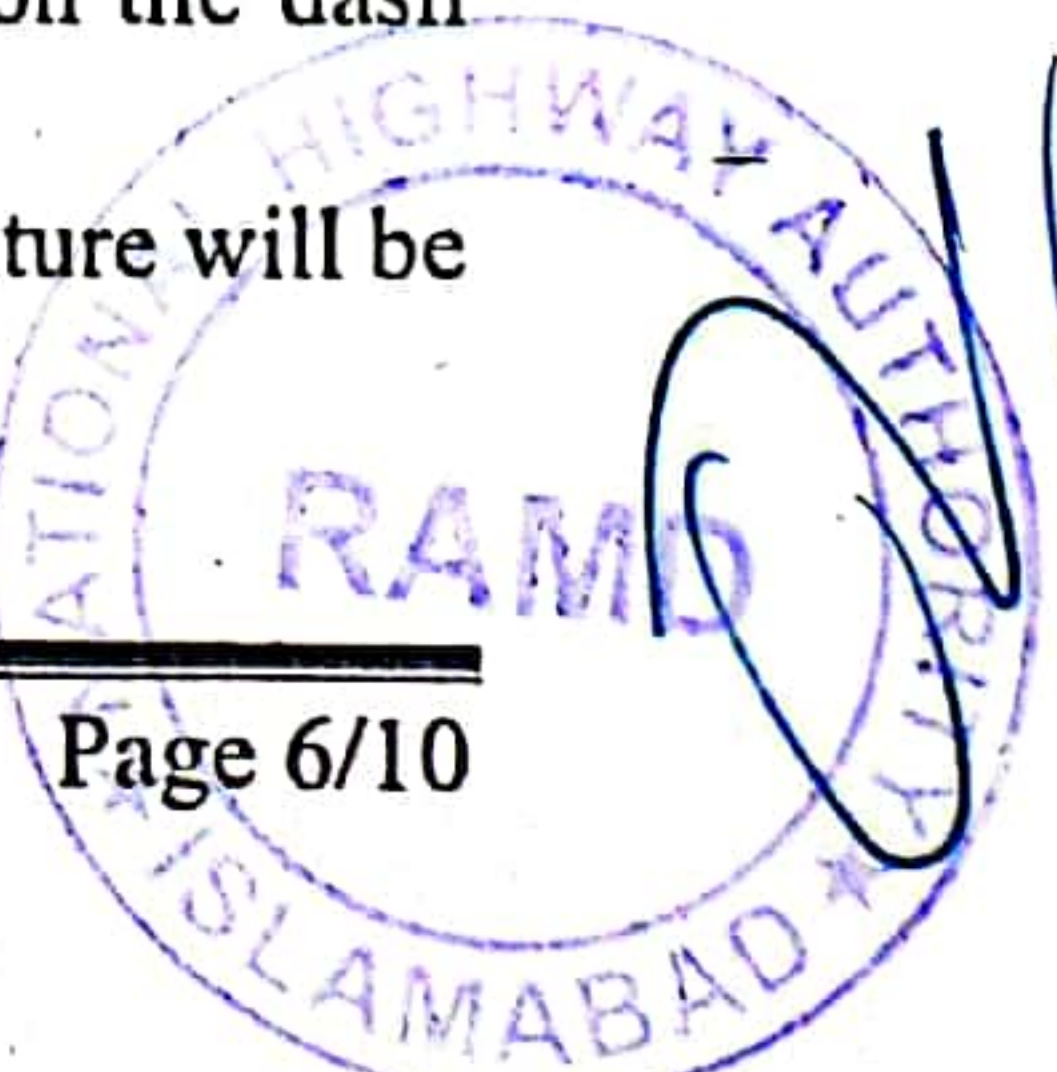
In case of no update, bidder is not required to submit Appendix-P to Bid.

- 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 envelope 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. Scaled inner envelope as mentioned in sub para 'm' above.
- n) Seal the Outer envelope 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 Eighty (180)** calendar days after the latest dead line date for submission of bid specified in Clause IB-20.

15.1 Amount of Bid Security

The amount of Bid Security shall be **Rs. 7,019,828/- (2% of Engr. Estimate)**.

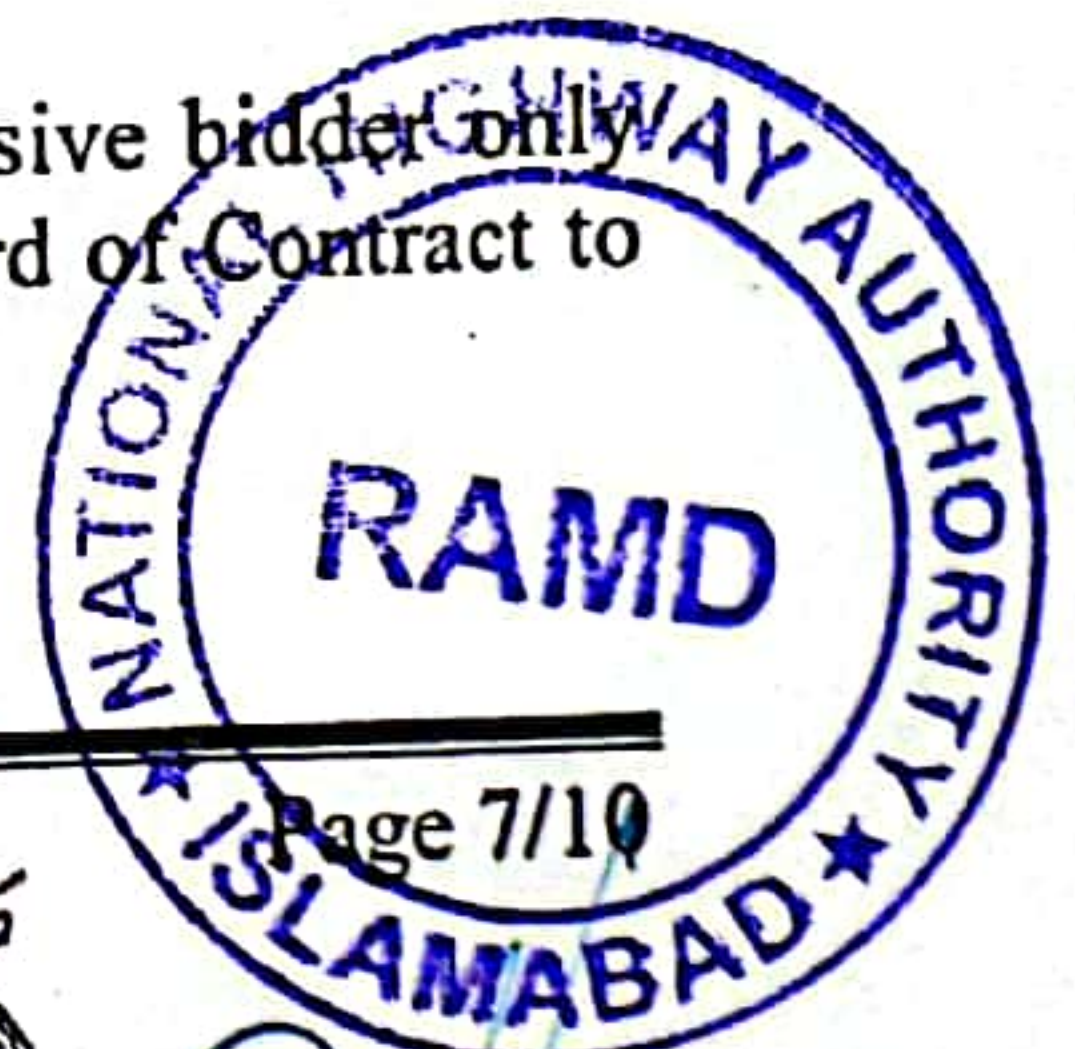
15.2 Form and Validity of Bid Security

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 "National Highway Authority (Road Maintenance Fund - Security Deposit)" valid for a period of 28 days after the expiration of the period of Bid Validity.

16 Alternate Proposals by Bidder

16.1 Should any bidder consider that he can offer any advantages to the Employer by a modification to the designs, specifications or other conditions, he may, in addition to his bid to be submitted in strict compliance with the Bidding Documents, submit any Alternate Proposal(s) containing (a) relevant design calculations; (b) technical specifications; (c) proposed construction methodology; and (d) any other relevant details / conditions, provided always that the total sum entered on the Form of Bid shall be that which represents complete compliance with the Bidding Documents.

16.2 Alternate Proposal(s), if any, of the lowest evaluated responsive bidder only may be considered by the Employer as the basis for the award of Contract to such bidder.



Handwritten signature or initials in blue ink.

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

Venue: *[Will be communicated separately if conducted]*
Time: *[Please insert Time.]*
Date: *[Please insert Date.]*

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.

19.1 As prescribed under item 11.1 of the Bidding Data Sheet.

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

Venue: *NHA Regional Office, Shahpur Interchange, Multān Road, Lahore.*

19.2(b) Name and the Number of the Contract

Periodic Maintenance (Structural Overlay) Work between KM: ~~1141+000~~ ~ 1153+000 (SBC) on N-5 under AMP 2021-22.

Contract No. PM-2021-22-PN-08

20.1(a) Deadline for Submission of Bids

Not later than *10th May, 2023 at 1000 Hours*

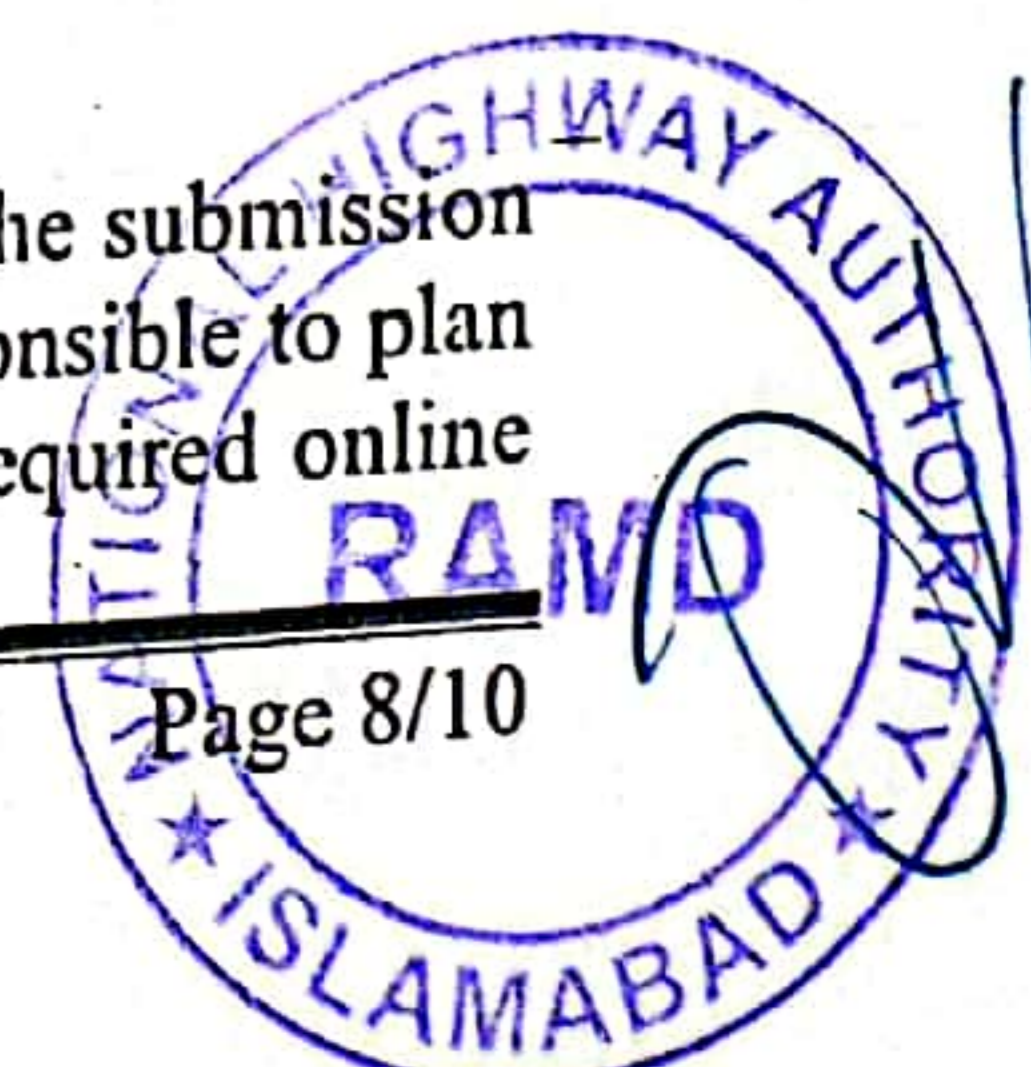
It is to be noted that Hard Copy of e-Bid must be submitted before the deadline time for submission of bid, failing which the e-Bid received on the e-Bidding system will be evaluated as non-responsive.

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

Delete the text of IB-22 and replace with the following text;

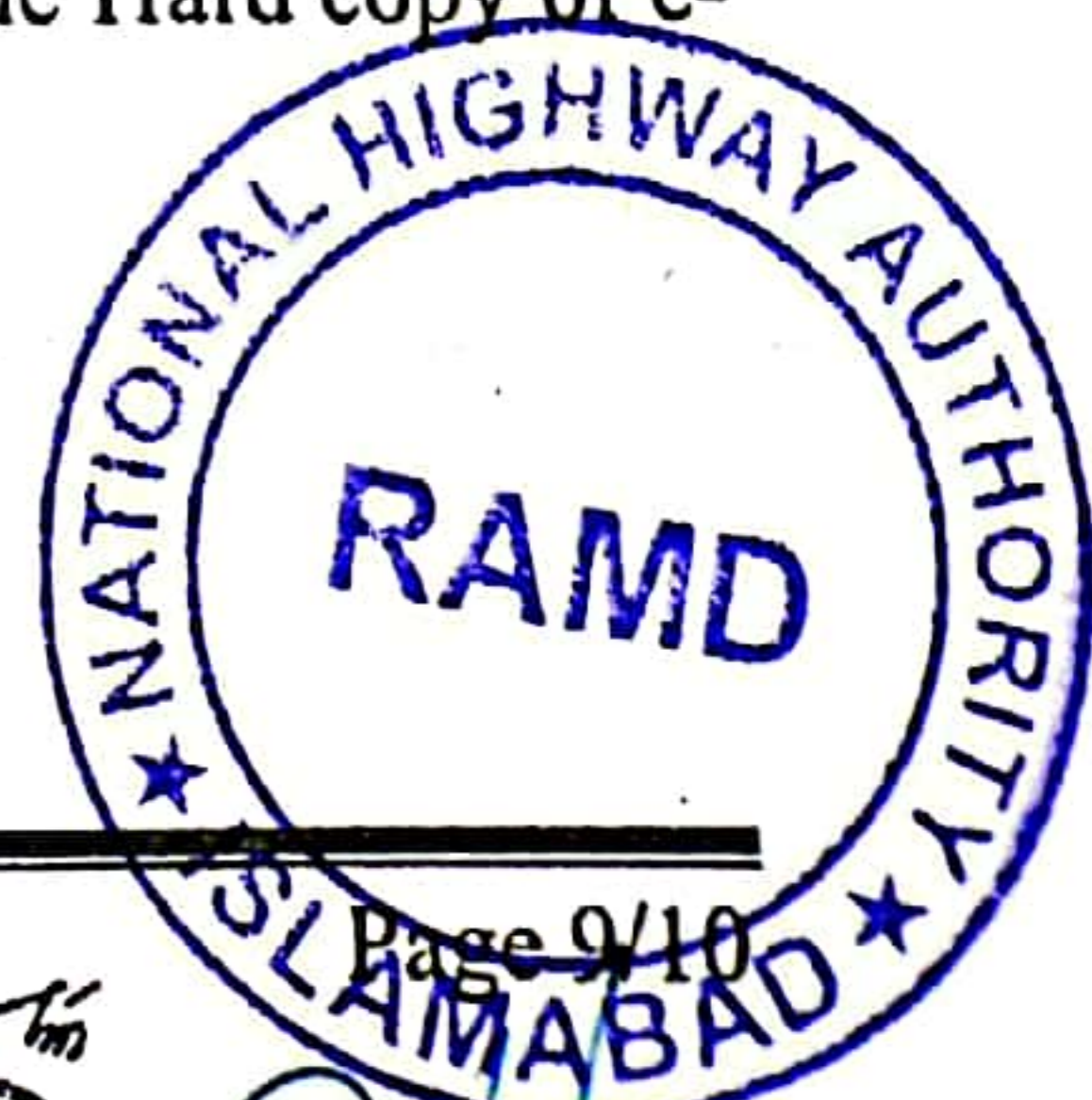
- 22.1 Any e-Bid may be withdrawn prior to the deadline time designated for submission of bids upon clicking the tab to "Withdraw Bid Response". Withdrawn bids may be modified and resubmitted up to the deadline time designated for the submission of bids.
- 22.2 After withdrawal, if the Bidder again submits 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

Delete the text of 23.1, 23.2, 23.3 23.4 and replace with following text;

- 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 (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.



Page 9/10
Handwritten signature

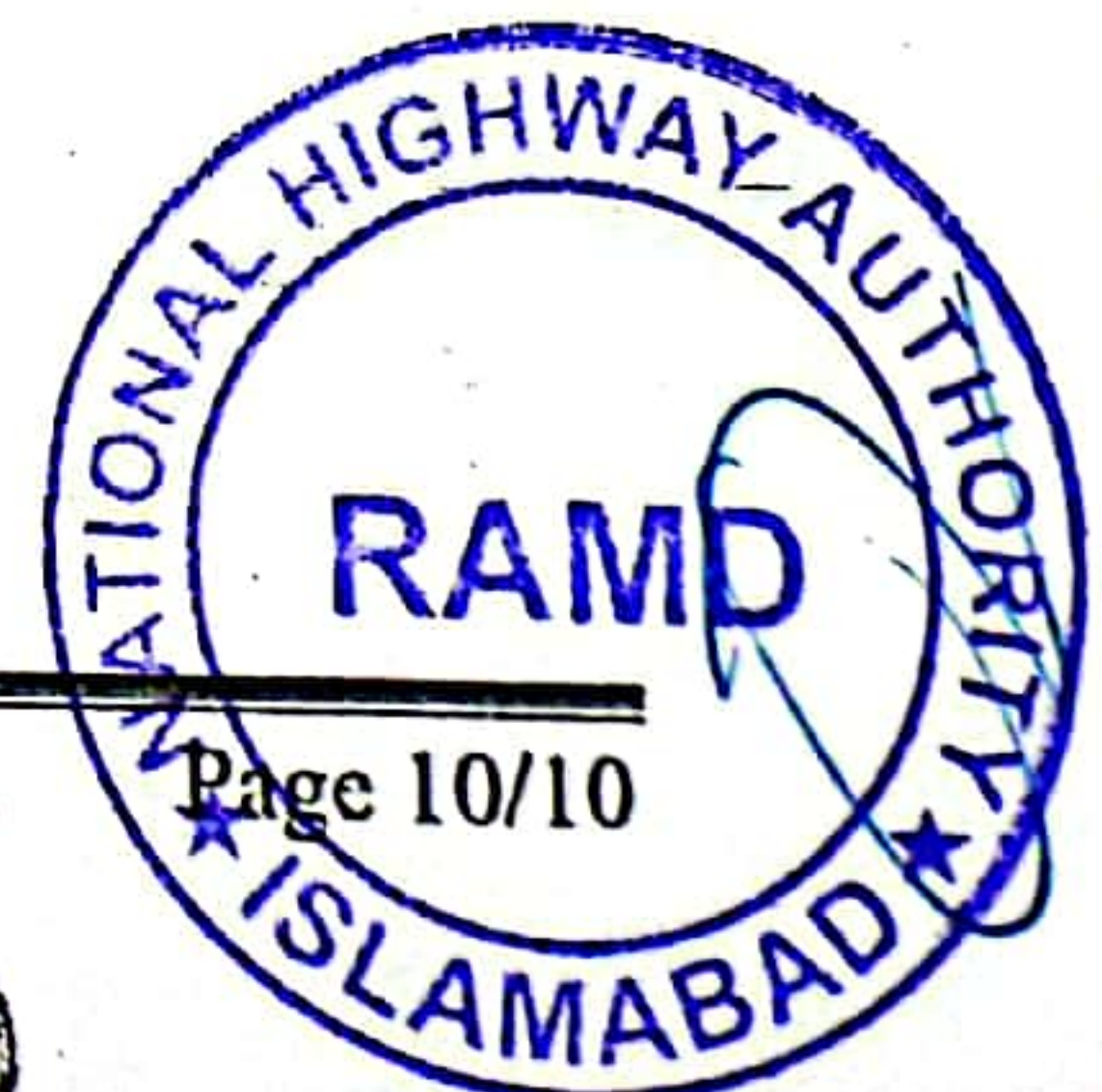
Venue, Time, and Date of Bid Opening

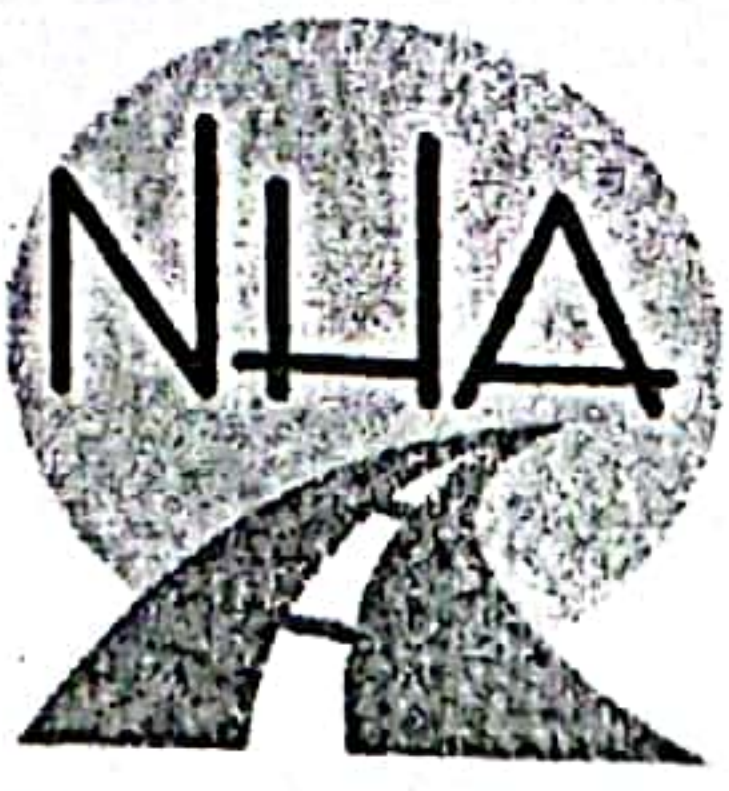
Venue: *NHA Regional Office Building, Shahpur Interchange, Thokar Niaz Baig, Lahore.*
Time: *1030 Hours*
Date: *10th May, 2023*

- 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**

Performance Security shall be provided by the successful bidder in the form of only Bank Guarantee in the following manners: -

- (a) 10% of the Contract Price stated in Letter of Acceptance (LOA) if it is at par or above the Engineer's Estimate (EE); or
- (b) 10% of the Contract Price stated in letter of Acceptance (LOA) if it is up to 10% below the Engineer's Estimate. However, if the ~~quoted~~ bid price is beyond 10% below the Engineer's Estimate, 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 Engineer's Estimate.





e-Bidding System

شفاق، تیز اور جدید

FRIENDLY HIGHWAYS

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. 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
Member (Central Zone) Shahpur Interchange, Multan Road, Lahore
Tel: 92-42-99232696
Fax: 92-42-99232547
Email: dir-coord-cz@nha.gov.pk

1.2 Name of the Project and Summary of the Works

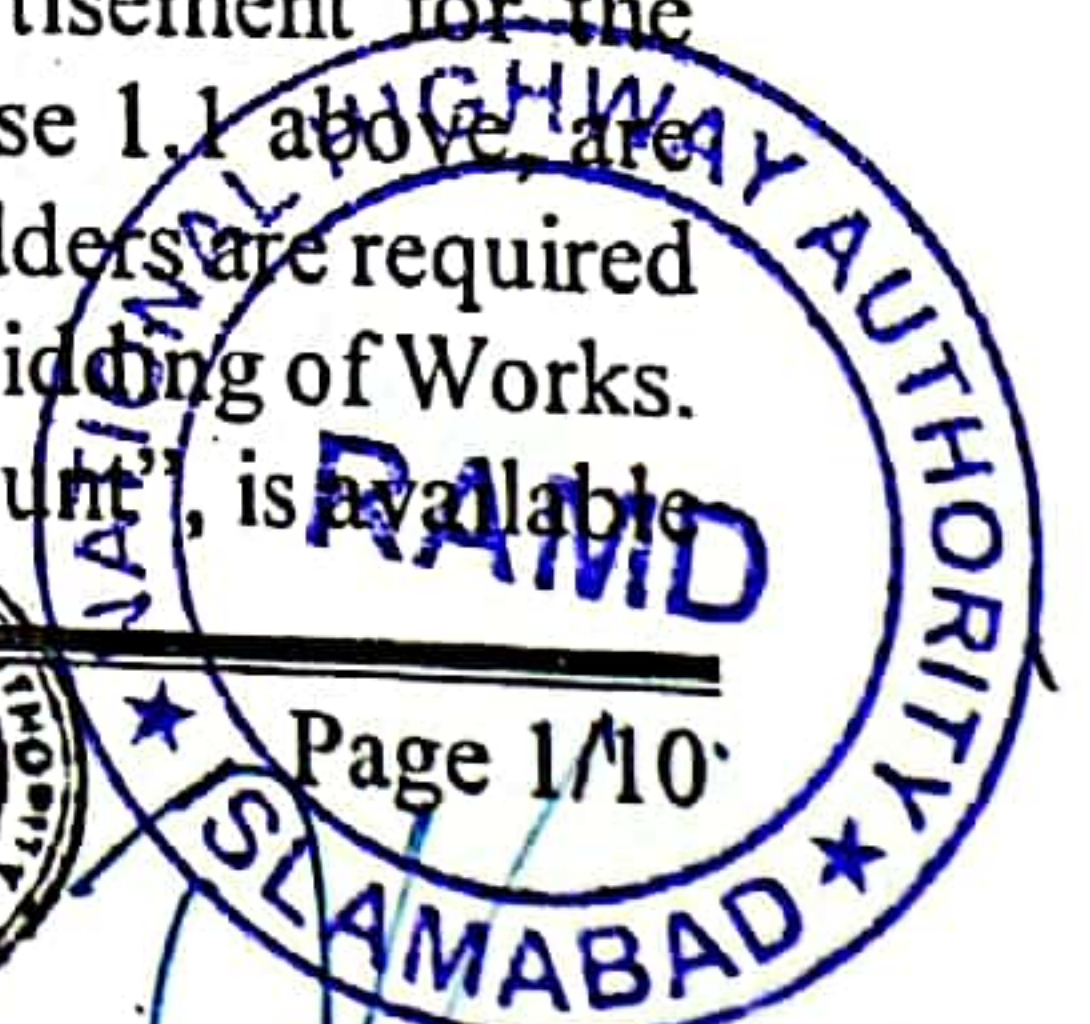
Periodic Maintenance (Structural Overlay) Work between KM: 266+000 ~ 292+000 (NBC) on Motorway (M-4) under AMP 2019-20.

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

The Employer is funding the project through funds available under Road Maintenance Account (RMA) of National Highway Authority.

3. Eligible Bidders (and Qualification Criteria)

- a. Those applicants who are prequalified in response to advertisement for the proposal for prequalification for the Works mentioned in clause 1.1 above, 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. 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 guideline. Bid submitted, by using NHA e-bidding system, will only be considered.

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 P).
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 Meeting and its amendments for Compliance.

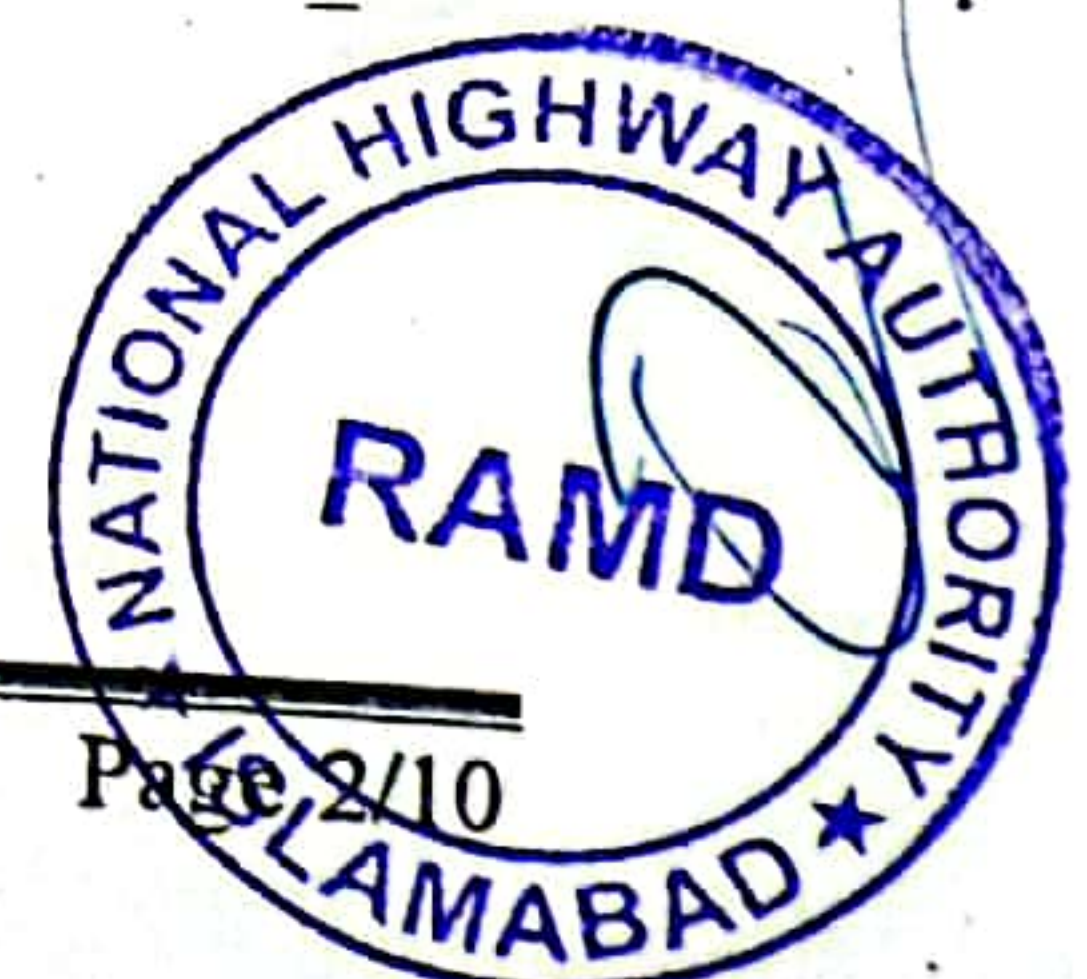
8.1 Time Limit for Clarification

Minimum number of days to seek clarification by the prospective bidder is seven (7) days before the latest deadline for submission of Bids. Response of clarification (if any) will be communicated/published through an Addendum on NHA website.

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).

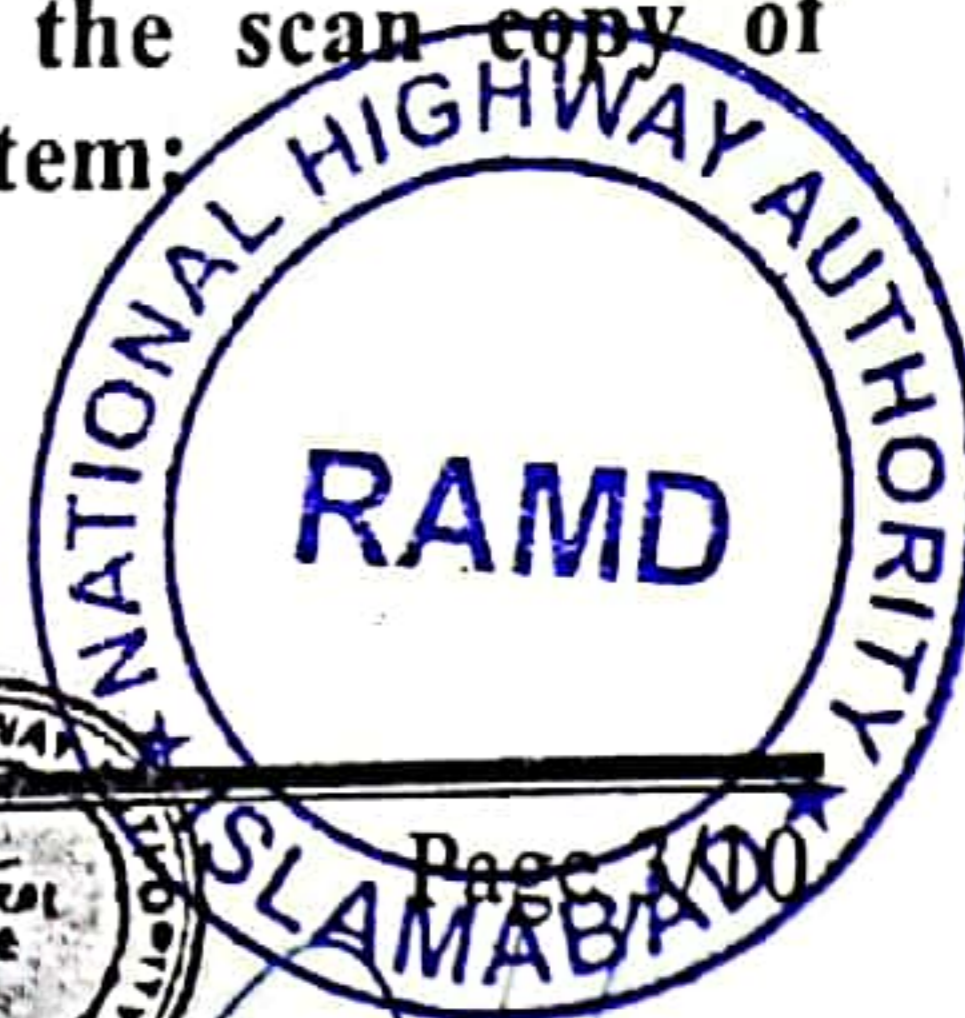
Note: The contents of any supporting Document in non-English language submitted without regard to the procedure as above (a, b & c) shall not be considered. Original Documents to be enclosed in the Envelope containing the Hard copy of Bid, if not provided in the Application submitted for Pre-Qualification.

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.

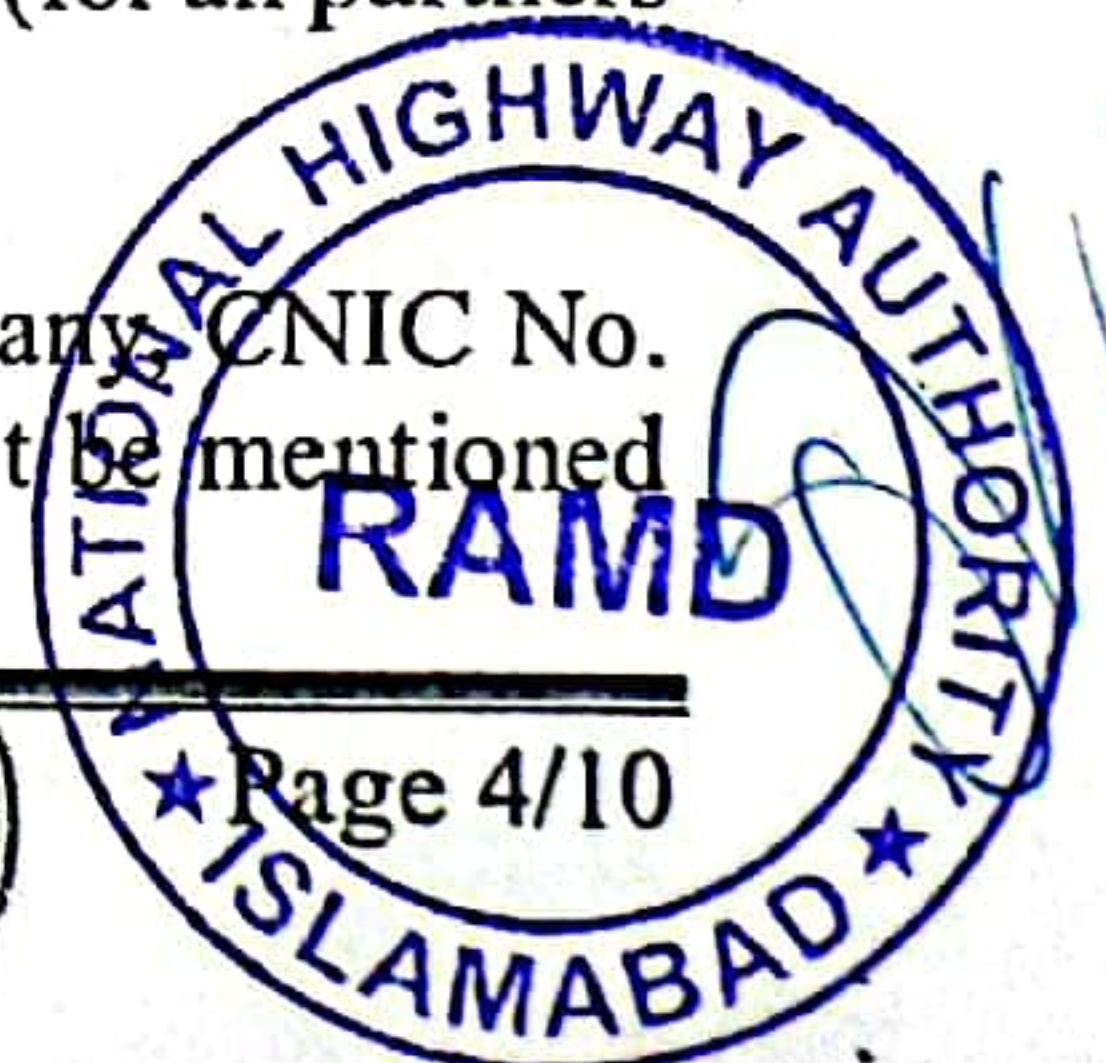
For Maintenance Works only

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 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.
- iii. Written confirmation (Power of Attorney) authorizing the signatory of the Bid to commit the Bidder
Original Power of Attorney on Judicial Stamp Paper duly attested by Notary Public with original signatures to sign/commit the bid on following format must accompany the bid:

- The person issuing authority of Power of Attorney shall provide the legal documents establishing his / her authority of issuing the Power of Attorney on behalf of Firm / Company / (for all partners of JV);
- The name, designation / title in the Firm / Company, CNIC No. of the person issuing the Power of Attorney must be mentioned on the Power of Attorney.



- The Power of Attorney shall bear the name, specimen signature, specimen initial of the signatory of the Bid as well as his designation / title in the Firm / Company and country identification number / CNIC No.

iv. 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.

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

vi. 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.

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

viii. 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.

ix. 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.

x. Financial Competence and Access to Financial Resources (Appendix- M)
Bidder shall update (if any) the information previously submitted with the application for pre-qualification.

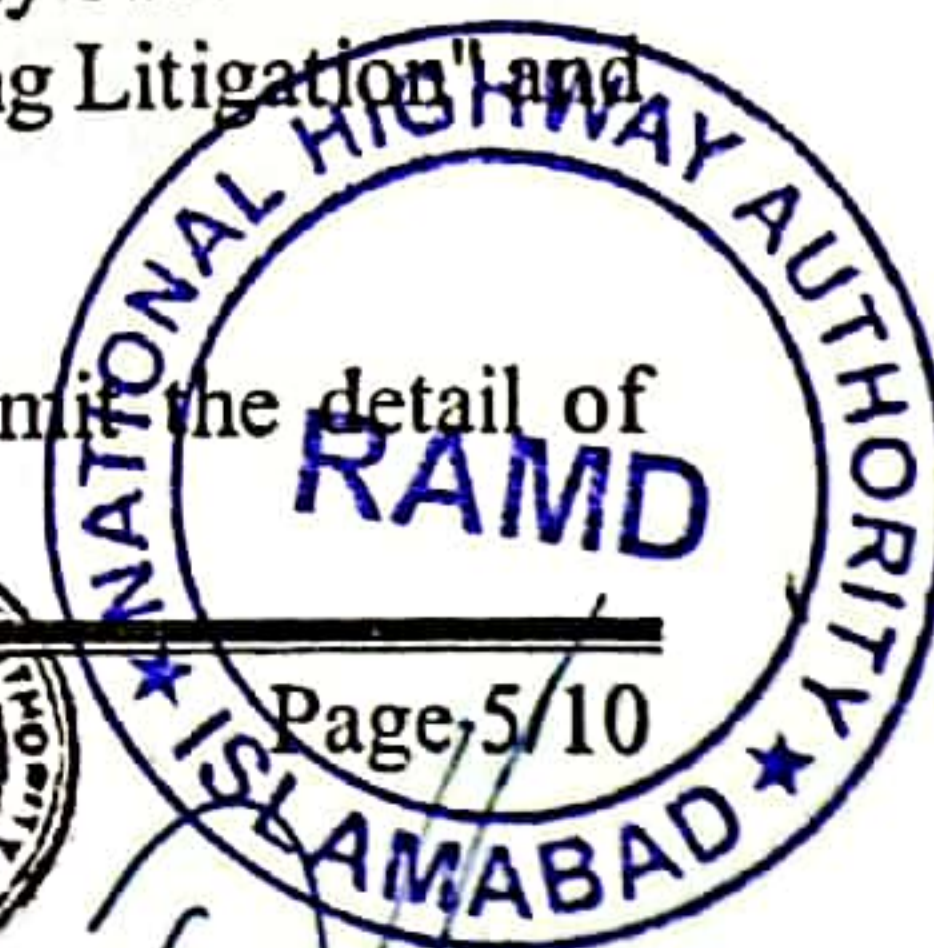
In case of no update, bidder is not required to submit Appendix-M to Bid.

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

Pending litigation and No Blacklisting information:

Bidder shall update (if any) the information previously submitted with the application for pre-qualification regarding "Pending Litigation" and "No Blacklisting".

In case of no update, Bidder is not required to submit the detail of litigation pending and "No Blacking Listing".



xii Qualification of Key Staff Experience (Appendix – O)

Bidder 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-O to Bid.

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

Bidder shall update (if any) the information previously submitted with the application for pre-qualification.

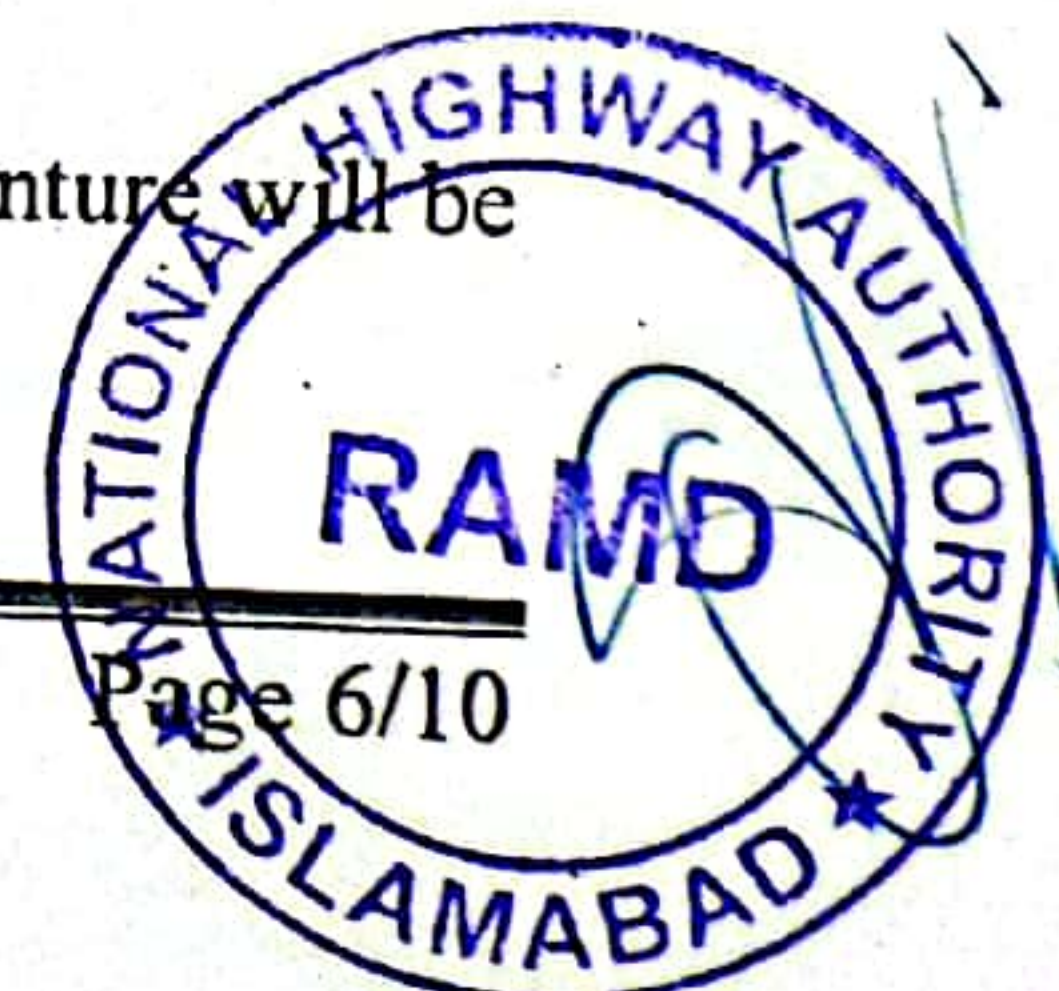
In case of no update, bidder is not required to submit Appendix-P to Bid.

- 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 envelope 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 envelope 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 Eighty (180)** calendar days after the latest dead line date for submission of bid specified in Clause IB-20.

15.1 Amount of Bid Security

The amount of Bid Security shall be **Rs.4,476,384/- (2% of Engr. Estimate)**.

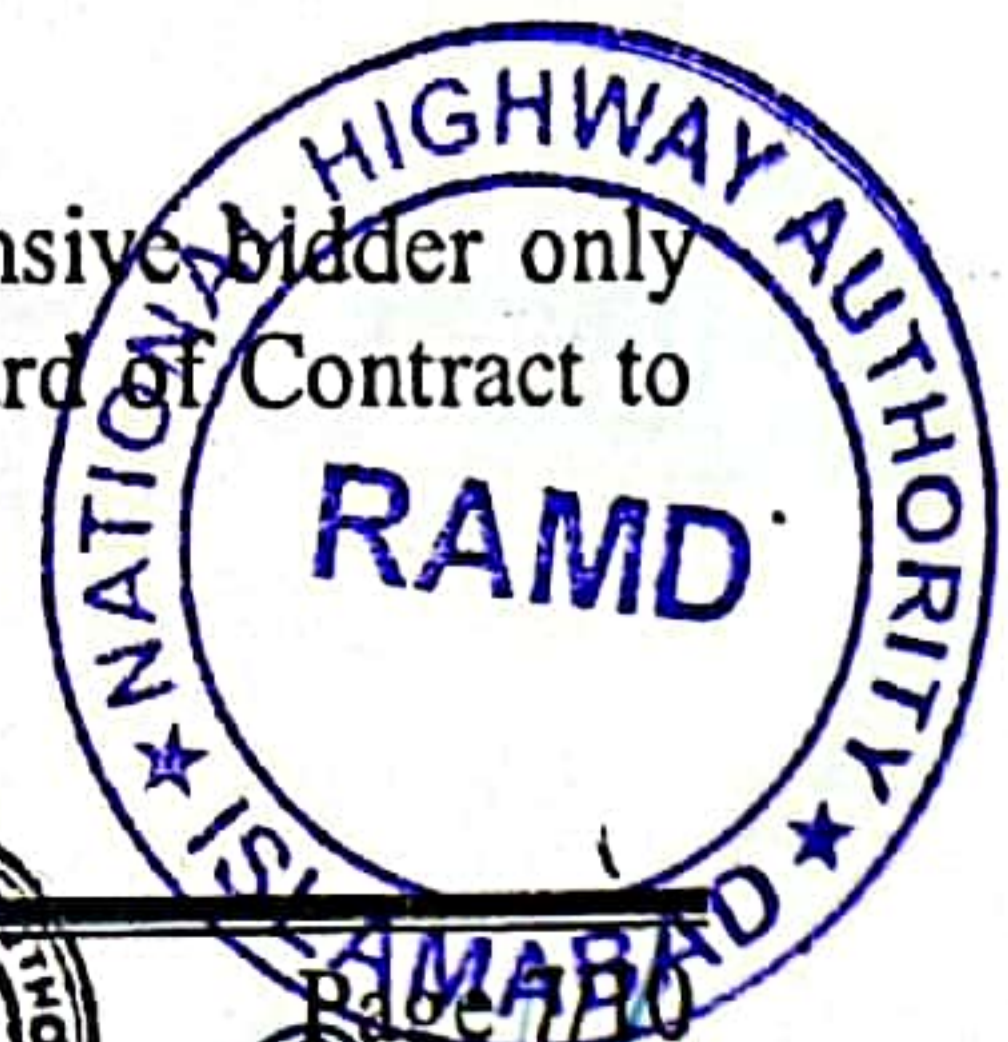
15.2 Form and Validity of Bid Security

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 "NHA RMF Security Deposit/Retention Money Account" valid for a period of 28 days after the expiration of the period of Bid Validity.

16 Alternate Proposals by Bidder

16.1 Should any bidder consider that he can offer any advantages to the Employer by a modification to the designs, specifications or other conditions, he may, in addition to his bid to be submitted in strict compliance with the Bidding Documents, submit any Alternate Proposal(s) containing (a) relevant design calculations; (b) technical specifications; (c) proposed construction methodology; and (d) any other relevant details / conditions, provided always that the total sum entered on the Form of Bid shall be that which represents complete compliance with the Bidding Documents.

16.2 Alternate Proposal(s), if any, of the lowest evaluated responsive bidder only may be considered by the Employer as the basis for the award of Contract to such bidder.



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[Handwritten signature]

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

Venue: *[Will be communicated separately if conducted]*
Time: *[Please insert Time.]*
Date: *[Please insert Date.]*

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.

19.1 As prescribed under item 11.1 of the Bidding Data Sheet.

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

Venue: *NHA Regional Office, Shahpur Interchange, Multan Road, Lahore.*

19.2(b) Name and the Number of the Contract

*Periodic Maintenance (Structural Overlay) Work between KM: 266+000 ~ 292+000 (NBC) on Motorway (M-4) under AMP 2019-20.
Contract No. PM-2019-20-M4-02*

20.1(a) Deadline for Submission of Bids

Not later than *26th January, 2023 at 1130 Hours*

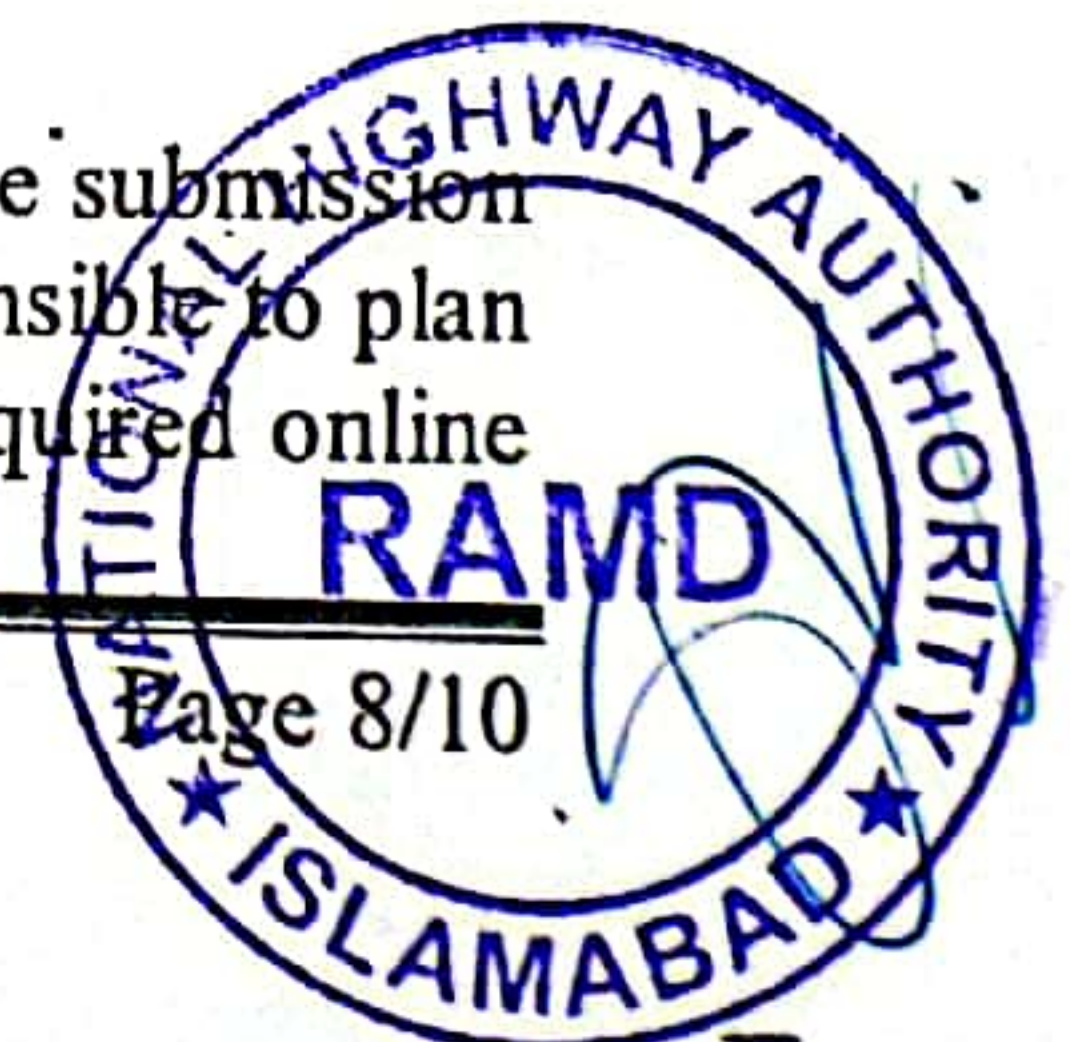
It is to be noted that Hard Copy of e-Bid must be submitted before the deadline time for submission of bid, failing which the e-Bid received on the e-Bidding system will be evaluated as non-responsive.

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

Delete the text of IB-22 and replace with the following text;

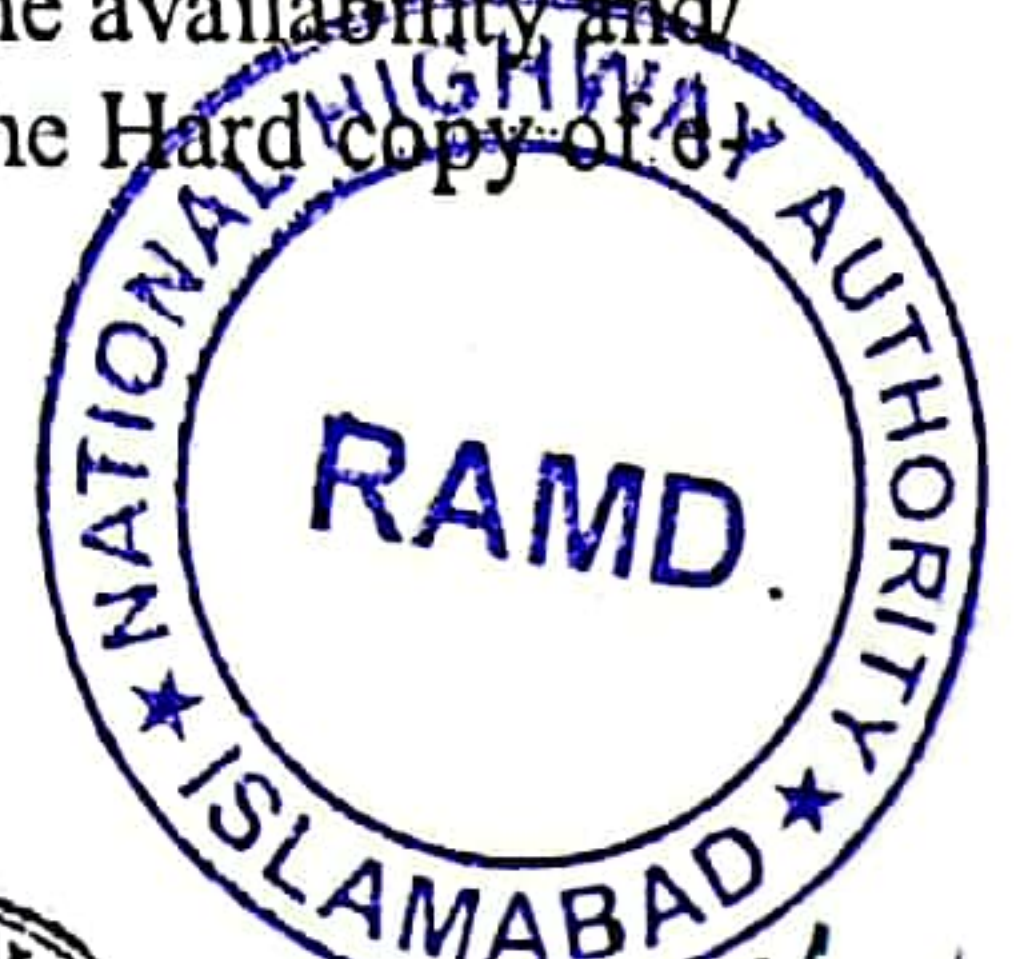
- 22.1 Any e-Bid may be withdrawn prior to the deadline time designated for submission of bids upon clicking the tab to "Withdraw Bid Response". Withdrawn bids may be modified and resubmitted up to the deadline time designated for the submission of bids.
- 22.2 After withdrawal, if the Bidder again submits 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

Delete the text of 23.1, 23.2, 23.3 23.4 and replace with following text;

- 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 (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.



A handwritten signature in blue ink, appearing to be a stylized "M" or "W", located at the bottom right of the page.

Venue, Time, and Date of Bid Opening

Venue: *NHA Regional Office Building, Shahpur Interchange, Thokar Niaz Baig, Lahore.*
Time: *1200 Hours*
Date: *26th January, 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

Performance Security shall be provided by the successful bidder in the form of only Bank Guarantee in the following manners: -

- (a) 10% of the Contract Price stated in Letter of Acceptance (LOA) if it is at par or above the Engineer's Estimate (EE); or
- (b) 10% of the Contract Price stated in letter of Acceptance (LOA) if it is up to 10% below the Engineer's Estimate. However, if the quoted bid price is beyond 10% below the Engineer's Estimate, 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 Engineer's Estimate.

