

NATIONAL HIGHWAY AUTHORITY

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

No. 2(554-04)/GM(P&CA)/NHA/2023/ — 593

06 September, 2023


Director General

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

Subject: **ANNOUNCEMENT OF EVALUATION REPORT UNDER PPRA
RULE-16 AND ADB PQ DOCUMENTS ITA CLAUSE 28.1:
4279-PAK (COL): EMERGENCY FLOOD ASSISTANCE PROJECT
(EFAP) NATIONAL HIGHWAY AUTHORITY COMPONENT
PACKAGE-4: REPAIR/REHABILITATION AND
RECONSTRUCTION OF FLOOD AFFECTED/DAMAGED FIVE
(05) BRIDGES ON M-8 AND N-65**

Reference: *PPRA Rule-16 and ADB PQ Documents ITA Clause 28.1*

Find enclosed herewith the Evaluation Report (as per Rule 16 of PPRA Rules, 2004 and ADB PQ Documents ITA Clause 28.1) for the subject Works for uploading on PPRA website at the earliest, please.


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

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

Copy for kind information to:

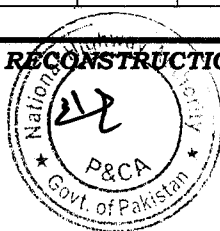
- Member (Planning), NHA, Islamabad;
- Director (Procurement), NHA, Islamabad;
- Director (MIS), NHA, Islamabad.

PQ EVALUATION REPORT

(As Per Rule 16 of PPRA Rules, 2004 and ADB PQ documents ITA Clause 28.1)

1	Name of Procuring Agency	National Highway Authority
2	Method of Procurement	Pre-Qualification
3	Title of Procurement	Package-4: Repair / Rehabilitation and Reconstruction of Flood affected / damaged Five (05) Bridges on M-8 & N-65 (CW-04) Lot-1: Rehabilitation and Reconstruction of 02 Bridges on M-8 Lot-2: Rehabilitation and Reconstruction of 02 Bridges on N-65
4	Tendering Inquiry No.	2(554-04)
5	PPRA Ref No. (TSE)	TS508562E
6	Date & Time of Bid Closing	23 rd May 2023 at 1100 hours
7	Date & Time of Bid Opening	23 rd May 2023 at 1130 hours
8	No. of Bids Received	Lot-1: Seven (07) PQ Applications Lot-2: Seven (07) PQ Applications
9	Criteria for PQ Evaluation	Attached
10	Details of Applicant's Evaluation	As mentioned below

Sr. No.	Applicant Name	Lots	Technical Marks (if applicable)	Rule/Regulation/SBD*/Policy/Basis for Rejection /Acceptance
1	M/s Zahir Khan and Brothers	1	Qualified	-----
		2		
2	M/s Umer Jan & Company	1	Qualified	-----
		2		
3	M/s N.K & Company	1	Dis-Qualified	The applicant failed to meet the requirement for "Specific construction experiences in key activities (EXP-2)" and "Environmental, Health and Safety Certification (EXP-4)".
		2		
4	M/s Sultan Mahmood and Company	1	Qualified	-----
		2		
5	M/s Ghulam Rasul Lehri & Co - Hafiz Ullah Lehri (JV)	1	Dis-Qualified	The applicant failed to meet the requirement for "Contract of similar size and nature (EXP-1)" and "Specific construction experiences in key activities (EXP-2)".
		2		



PQ EVALUATION REPORT

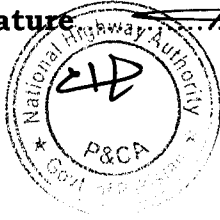
(As Per Rule 16 of PPRA Rules, 2004 and ADB PQ documents ITA Clause 28.1)

6	M/s Al Mehreen Enterprises - Hasas (JV)	1	Dis-Qualified	The applicant failed to meet the requirement for "Specific construction experiences in key activities (EXP-2)".
		2		
7	M/ s KNK – MEC JV	1	Qualified	-----
		2		

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

The issuance of Bid Document will be consequent to announcement of evaluation results and disposal of grievance(s) (if any).

Signature



Official Stamp:



Section 3: Qualification Criteria

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1. Eligibility

Criteria Requirement	Compliance Requirements				Documents Submission Requirements
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner	One Partner	

1.1 Nationality

Nationality in accordance with ITA 4.2.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Forms ELI -1; ELI -2 with attachments
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1.2 Conflict of Interest

No conflicts of interest in accordance with ITA 4.3 and ITA 4.4.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Application Submission Sheet
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1.3 ADB Eligibility

Not having been declared ineligible by ADB, as described in ITA 4.5.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Application Submission Sheet
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1.4 Government-Owned Entity

Applicant required to meet conditions of ITA 4.6.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Forms ELI -1 ; ELI -2 with attachments
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1.5 United Nations Eligibility

Not having been excluded by an act of compliance with the United Nations Security Council resolution in accordance with ITA 4.8.	Must meet requirement	Must meet requirement	Must meet requirement	Not applicable	Application Submission Sheet
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1.6 Registration with Pakistan Engineering Council (PEC)

<p>National Applicants must be registered with Pakistan Engineering Council (PEC) and shall have a valid registration Certificate in the following contractor's category for the year 2023.</p> <p>Lot-1: C-2 or above with specialization in CE-01 and CE-02.</p> <p>Lot-2: C-3 or above with specialization in CE-01 and CE-02.</p>	Must meet requirement	Not applicable	Local JV partner must meet requirement as per their respective JV's here	Must meet requirement	Forms ELI - 1; ELI - 2 with attachments
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2. Historical Contract Nonperformance

2.1 History of Nonperforming Contracts

Criteria Requirement	Compliance Requirements				Documents Submission Requirements
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner	One Partner	
Nonperformance of a contract did not occur as a result of contractor default since 1 st January 2017	Must meet requirement	Must meet requirement	Must meet requirement ^b	Not applicable	Form CON-1

^a Nonperformance, as decided by the Employer, shall include all contracts where (a) nonperformance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract; and (b) contracts that were so challenged but fully settled against the contractor. Nonperformance shall not include contracts where the Employer's decision was overruled by the dispute resolution mechanism. Nonperformance must be based on all information on fully settled disputes or litigation, i.e., dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Applicant have been exhausted.

^b This requirement also applies to contracts executed by the Applicant as Joint Venture partner.

2.2 Suspension Based on Execution of Bid-Securing Declaration

Criteria Requirement	Compliance Requirements				Documents Submission Requirements
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner	One Partner	
Not under suspension based on execution of a Bid-Securing Declaration pursuant to ITA 4.7.	Must meet requirement	Not applicable	Must meet requirement	Not applicable	Application Submission Sheet



2.3 Pending Litigation and Arbitration

Pending litigation and arbitration criterion shall apply.

Criteria Requirement	Compliance Requirements			Documents Submission Requirements	
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner		One Partner
All pending litigation, arbitration, or other material events impacting the net worth and/or liquidity of the Applicant, if any, initiated against the Applicant, shall be treated as resolved against the Applicant and so shall in total not represent more than fifty percent (50%) of the Applicant's net worth calculated as the difference between total assets and total liabilities.	Must meet requirement	Not applicable	Must meet requirement	Not applicable	Form CON - 1

2.4 Declaration: Environmental, Health and Safety Past Performance

Criteria Requirement	Compliance Requirements			Documents Submission Requirements	
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner		One Partner
Declare any contracts that have been suspended or terminated and/or performance security called by an employer for reasons related to the non-compliance of any environmental, health and safety contractual obligations in the past five years.	Must make the declaration. If the bidder proposes Specialist Sub-contractor/s to meet QC 4.2, those Specialist Sub-contractor/s must also make the declaration	Not applicable	Each partner must make the declaration. If the bidder proposes Specialist Sub-contractor/s to meet QC 4.2, those Specialist Sub-contractor/s must also make the declaration	Not applicable	Form CON-2



3. Financial Situation

3.1 Historical Financial Performance

Criteria Requirement	Compliance Requirements			Documents Submission Requirements	
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner	One Partner	
Submission of audited financial statements or, if not required by the law of the applicant's country, other financial statements acceptable to the Department, for the last (03) years i.e. Financial Year 2019-20, 2020-21 & 2021-22 of the bidders which close their accounts on June 30th every year OR Calendar Year 2020, 2021 & 2022 of the bidders which close their accounts on 31st December every year or for the latest three years, applicable to demonstrate the current soundness of the Applicant's financial position As a minimum, the Applicant's net worth for the last year, calculated as the difference between total assets and total liabilities should be positive.	Must meet requirement	Not applicable	Must meet requirement	Not applicable	Form FIN - 1 with attachments



A. For Civil Works Contract

3.2 Average Annual Construction Turnover

Criteria Requirement	Single Entity	Compliance Requirements			Documents Submission Requirements
		Joint Venture			
		All Partners Combined	Each Partner	One Partner	
Minimum average annual construction turnover calculated as total certified payments received for contracts in progress or completed, within the last (03) three years. Lot-1: PKR 583 million Lot-2: PKR 367 million	Must meet requirement	Must meet requirement	Must meet <u>40%</u> of the requirement	Must meet <u>50%</u> of the requirement	Form FIN - 2

National Highway Authority

4. Experience

A. For Civil Works Contract

4.1 Contracts of Similar Size and Nature

Criteria Requirement	Compliance Requirements			Documents Submission Requirements	
	Single Entity	Joint Venture			
		All Partners Combined	Each Partner		One Partner
<p>Participation as a contractor, Joint Venture partner, or Subcontractor, in at least one (01) contract that has been successfully or substantially completed within last five (05) years, and that is similar to the proposed works, where the value of the Applicant's participation exceeds amount of:</p> <p>Lot-1: PKR 425 million Lot-2: PKR 123 million</p> <p>The similarity of the Applicant's participation shall be based on:</p> <ol style="list-style-type: none"> 1. the physical size 2. nature of works 3. complexity, methods 4. technology or 5. other characteristics <p>as described in Section 6, Department's Requirements.</p>	Must meet requirement	Not applicable	must meet the requirement equivalent to 30% of value of the contract of similar size and nature.	(Lead Partner) Must meet requirement	<p>Form EXP – 1 in addition to the submission requirement Form EXP – 1, the Applicant shall provide the following supporting documents:</p> <ol style="list-style-type: none"> 1. Signed Contract Agreement, and 2. Taking-Over Certificate, Contract Completion Certificate or Performance Certificate, <p>in sufficient detail to verify the contract name, value and completion time (or substantial completion). If the documents are other than in English, an accurate certified translation of these documents in English shall be provided. Note: The Employer will consider a "substantially completed contract" as one in which the works have been completed</p>

4.2 Construction Experience in Key Activities

4.2 (a) Must be complied with by the Applicant. In case of a Joint Venture Applicant, the Applicant or at least one of the partners must meet the requirement in the key activity. For contracts under which the Applicant participated as a Joint Venture partner, only the Applicant's designated scope of works under the contracts shall be considered to meet this requirement.

Table A

Criteria Requirement	Compliance Requirements		Documents
	Single Entity	Joint Venture	Submission Requirements
For the above or other contracts executed during the period stipulated in 4.1, a minimum construction experience in the following key activities:	Must meet requirement	Must meet requirement (mentioned below)	Form EXP-2 Form EXP-2 shall be supported by documents such as Signed Contract Agreement, Taking-Over Certificate or Contract Completion Certificate indicating the contract name, value, completion date (or percentage of substantial completion), activities performed by Joint Venture partners, certified payments showing activity details, and other relevant details sufficient to demonstrate compliance with the requirements.
Lot-1			
Base / Sub-Base 262 Cu.m/ in any one year	Must meet requirement	The Joint Venture as a whole must meet the requirements in full whereas each partner must meet the requirements equivalent to 30% against each Key Activities)	
Cast in Place Concrete Piles (1m in dia) 1,440 m/ in any one year			
Concrete (for Bridges only) 5,087 Cu.m/ in any one year			
Lot-2			

Criteria Requirement	Compliance Requirements		Documents
	Single Entity	Joint Venture	Submission Requirements
Base / Sub-Base 226 Cu.m/ in any one year	Must meet requirement	The Joint Venture as a whole must meet the requirements in full whereas each partner must meet the requirements equivalent to 30% against each Key Activity(ies)	
Cast in Place Concrete Piles (1m in dia) 962 m/ in any one year			
Concrete (for Bridges only) 3,594 Cu.m/ in any one year			

4.2. (b) The Employer accepts any of the following activities to be subcontracted. They may be complied with by the Bidder or by its proposed Specialist Subcontractor.

If the key activity is to be undertaken by a Specialist Subcontractor, the Employer shall require evidence of the subcontracting agreement from the Bidder.

Table B

Criteria Requirement	Compliance Requirements		Documents
	Single Entity or Its Specialist Subcontractors	Joint Venture or Its Specialist Subcontractors	Submission Requirements
For the above or other contracts executed during the period stipulated in 4.1, a minimum construction experience is required in the following key activities:	Must meet requirement	Must meet requirement	Form EXP - 2



4.3 Specific Experience in Managing Environmental, Health and Safety Aspects

Criteria Requirement	Compliance Requirements		Documents
	Single Entity or Its Specialist Subcontractors	Joint Venture or Its Specialist Subcontractors	Submission Requirements
<p>For the contracts in 4.1 and 4.2 above and/or any other contracts [substantially completed and under implementation] as prime contractor, Joint Venture partner, or Subcontractor between 1st January 2017 and Bid submission deadline, experience in managing EHS risks and impacts in the following aspects:</p> <ul style="list-style-type: none"> - Traffic management practice - Local cultural heritage protection practice - Work at height and fall protection - Control of infectious and communicable diseases (HIV/AIDS, malaria, COVID-19 etc 	Must meet requirements	One member must meet requirements	Form EXP – 3



5. Organizational Environmental, Health and Safety System

5.1 Environmental, Health and Safety Certification

Criteria Requirement	Compliance Requirements		Documents
	Single Entity or Its Specialist Subcontractors	Joint Venture or Its Specialist Subcontractors	Submission Requirements
Availability of a valid ISO certification or internationally recognized equivalent (equivalency to be demonstrated by the Bidder), and applicable to the worksite: 1) Quality management certificate ISO 9001 (or internationally recognized equivalent) 2) Environmental management certificate ISO 14001 (or internationally recognized equivalent) 3) Health and Safety management certificate ISO 45001 (or internationally recognized equivalent)	Must meet requirements	One member must meet requirements	Form EXP - 4

5.2 Environmental, Health and Safety Documentation

Criteria Requirement	Compliance Requirements		Documents
	Single Entity or Its Specialist Subcontractors	Joint Venture or Its Specialist Subcontractors	Submission Requirements
Availability of in-house policies and procedures for EHS management: 1. Existence of an Ethics Charter 2. Existence of a system for monitoring compliance with EHS commitments for the Bidder's Subcontractors and all its partners. 3. Existence of official company procedures for the management of the following: <ul style="list-style-type: none"> ➤ EHS resources and facilities and EHS monitoring system ➤ Project Areas management information (base camps, quarries, burrow pits, storage areas) ➤ Health and Safety on worksites policy and related guidance ➤ Community stakeholder engagement practice 	Must meet requirements	One member must meet requirements	Form EXP - 5

5.3 Environmental, Health and Safety Dedicated Personnel

Criteria	Compliance Requirements		Documents
Requirement	Single Entity or Its Specialist Subcontractors	Joint Venture or Its Specialist Subcontractors	Submission Requirements
Availability of in-house personnel dedicated to EHS issues: <ul style="list-style-type: none"> ➤ Environmental Specialist ➤ Occupational Health and Safety Specialist 	Must meet requirements	One member must meet requirements	Form EXP – 6

