

NATIONAL HIGHWAY AUTHORITY

Procurement & Contract Administration Section

28 Mauve Area, G-9/I, Islamabad ☎ 051-9032727, 📠 051-9260419.

No. 6(487-B)/DIR-III (P&CA)/NHA/20/167

24th September, 2020

Director General

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

Subject: **Announcement of Evaluation Report (PPRA RULE-35):
Consultancy Services for Hiring of Legal Individual Consultant
for PPP projects**

Reference: PPRA Rule-35

Find enclosed herewith the combined Bid Evaluation Report along with Evaluation Criteria (Annex-I) for the subject Services in line with PPRA Rule-35 for uploading on PPRA website at the earliest, please.


(SAJJAD ALI SHAH) 24/9/2020
Director (Consultancy) P&CA

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

Copy for kind information to:

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

EVALUATION REPORT

(As Per Rule 35 of PP Rules, 2004)

1.	Name of Procuring Agency:	National Highway Authority
2.	Method of Procurement:	Single Stage Two Envelope Procedure
3.	Title of Procurement:	Consultancy Services for Hiring of Legal Individual Consultant for PPP projects
4.	Tender Inquiry No.:	6(487-B)
5.	PPRA Ref. No. (TSE):	TS403187E
6.	Date & Time of Bid Closing:	6 th November, 2019 at 1130 hours local time
7.	Date & Time of Bid Opening:	6 th November, 2019 at 1200 hours local time
8.	No of Bids Received:	One (01) Proposal was received
9.	Criteria for Bid Evaluation:	Criteria of Bid Evaluation is attached at Annex-I
10.	Details of Bid(s) Evaluation:	As below

Name of Bidder	Marks			Evaluated Cost (EC)* (PKR)	Rule/Regulation/S BD**/Policy/ Basis for Rejection / Acceptance as per Rule 35 of PP Rules, 2004.
	Technical (if applicable)	Financial (if applicable)	Total (out of 100)		
1) Mr. Babar Sattar	60	20	80	9,600,000	Top scoring firm in combined evaluation (PPRA Rule 36(b) (ix))

*EC is the Evaluated Cost used for evaluation purpose and includes only the cost of competitive component (i.e. Remuneration and Direct Non-Salary Cost) and is exclusive of Provisional Sum, Contingency and Indirect Taxes.

Top Ranked Bidder: Mr. Babar Sattar (Individual Consultant)

11. **Any other additional/supporting information, the procuring agency may like to share:**
The Procurement was carried out in line with PPRA Rules & Regulations. The bidding was done on QCBS method with 80:20 Technical to Financial Proposals ratio. The Contract is being awarded to Mr. Babar Sattar at evaluated financial proposal of Pak. Rs. 9,600,000/-.

Signature:.....

24.09.20

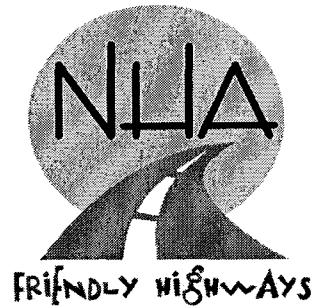
General Manager (P&CA)

Official Stamp:.....

National Highway Authority

**Standard Bidding Documents (SBD), Islamabad

National Highway Authority



Annex-I

Criteria

FOR

Bid Evaluation

**CONSULTANCY SERVICES FOR HIRING
OF LEGAL INDIVIDUAL CONSULTANT
FOR PPP PROJECTS**

September, 2020



NATIONAL HIGHWAY AUTHORITY

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

Ref: 6(487-B)/Dir-III (P&CA/NHA/2019/264 Dated: 30th October, 2019

To

All Prospective Individual Consultants

Subject: **HIRING OF LEGAL INDIVIDUAT CONSULTANT FOR PPP PROJECTS**

"MINUTES OF PRE-PROPOSAL MEETING & ADDENDUM #1 "

Reference: Pre-Proposal meeting on the subject held on 21st October, 2019.

Minutes of Pre-Proposal Meeting alongwith Addendum No.1 being integral part of RFP for the subject services are enclosed herewith for necessary action, please.

for 

(SAJJAD ALI SHAH)
Director (Consultancy)P&CA

Enclosure:

- **Minutes of Pre-Proposal Meeting--(01 Page)**
- **Addendum No.1 (04 Pages)**

Copy for information to:

- Member (Planning), NHA, Islamabad
- Member (Engineering-Coordination), NHA, Islamabad.
- General Manager (Planning), NHA, Islamabad.
- General Manager (P&CA) NHA, Islamabad
- General Manager (PPP) NHA, Islamabad.
- Dy. Director (P&CA-II) NHA, Islamabad.
- AD (P&CA-I) NHA, Islamabad.

**MINUTES OF PRE-PROPOSAL
MEETING HELD ON 21st October, 2019**

HIRING OF LEGAL INDIVIDUAL CONSULTANT FOR PPP PROJECTS

A Pre-Proposal Meeting was held in NHA Auditorium at 1100 hours on 21st October, 2019 to discuss the Request for Proposal (RFP) for subject Services. Following NHA officers and representatives of prospective consultants attended the meeting:

▪ **National Highway Authority**

- Mr. Sajjad Ali Shah ... Director (P&CA) – III
- Ms. Aisha Tariq ... Deputy Director (Planning)
- Ms. Sadia Rehman ... Deputy Director (P&CA) – II
- Mr. Ibrahim Khalil ... Deputy Director (PPP)
- Ms. Mateen Raana Kazmi ... Assistant Director (P&CA) – I

▪ **Consultants**

- Mr. Afzal Khan Shinwari ... M/s Rizwan Faiz Associates

2. The queries submitted during the above mentioned pre-proposal meeting and their clarifications/ replies are summarized below for information of all prospective bidders:

Sr. No.	Queries	Reply
1.	The RFP document on the website does not have Forms A-1 and A-2 (pages 10-11 of RFP document is missing). Kindly share them for filing of proposal.	Form A-1 and Form A-2 are attached as Attachment-I & Attachment-II to Addendum no. 01
2.	In Form A-4 (Summary of Costs), serial number 2 mentions "Direct (NonSalary) Cost (Lump Sum)", which as per footnote number 3 is stated to be a lump sum amount for out of pocket expenses, to be "paid as per terms of payment under Schedule A to Draft Contract". Schedule-A however states that the out of pocket expenses shall be paid "on actual basis". If the expenses are to be paid as per actual, then what is the purpose of quoting a lump sum amount?	Please consult the revised Form A-4 (Summary of Costs) in Addendum No. 01, Attachment-III.
3.	If the Lump Sum amount is supposed to be the maximum figure for out of pocket expenses, whereas they shall be paid as per actual, then what is the estimate/forecast of travelling etc. over the 24 month period against which the Lump Sum amount it to be quoted?	Not applicable

000 0 000



ADDENDUM No.1

HIRING OF LEGAL INDIVIDUAL CONSULTANT FOR PPP PROJECTS

Following amendments have been made in the Request for Proposal (RFP) for subject Services under this Addendum No.1, which shall be read and construed as an integral part of RFP and shall take precedence in case of any conflict(s)/ambiguity(s) amongst this Addendum No.1 and other provisions of the RFP.

1. Form A-1 (Page-10) and Form A-2 (Page-11)

Form A-1 (Page-10) and Form A-2 (Page-11) which were missing in the RFP have been added and attached at **Annexure-I & II to Addendum No. 01.**

2. Form A-4 (Page-13)

Refer Form A-4 (Page-13) has been revised and attached at **Annexure-III to Addendum No. 01.**

3. All other terms and conditions shall remain same.

---ooOoo---



PROPOSAL SUBMISSION FORM

To: [Name and address of Client]

Dear Sir,

I, the undersigned, offer to provide the consulting services as "Legal Individual Consultant for PPP Projects" in accordance with your Request for Proposal dated [Insert Date]. I am hereby submitting my Proposal sealed in envelope.

I hereby declare that:

- (a) All the information and statements made in this Proposal are true and I accept that any misrepresentation made in the Proposal may lead to my disqualification and may result in sanctions from the Client;
- (b) My Proposal shall be valid for 90 days in accordance with Clause 4.6 of the ITA;
- (c) I have no conflict of interest in accordance with ITA Clause 1.8;
- (d) My Proposal is binding upon me and subject to any modifications that may arise from any Contract negotiations.

I understand that the Client is not bound to accept any or all Proposal(s) that the Client receives.

I remain,

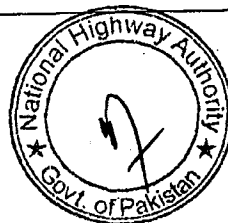
Yours Sincerely

Signature {in full and initials}: _____

Name of the Candidate: _____

Address: _____

Contact Information (phone and e-mail): _____



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Form A-2

FORMAT OF CURRICULUM VITAE (CV) FOR THE CANDIDATE

1. Name of Candidate: _____
2. Date of Birth: _____
3. Nationality: _____
4. CNIC Number: _____
5. NTN Number: _____
6. Email address: _____
7. Phone No.: _____
8. Membership/enrollment with bar councils: _____
9. Key Qualifications:
[Provide list of degrees earned with name of institutions and years]
10. Relevant Experience:
[Provide outline of relevant experience]



[Handwritten signature]

Summary of Costs

Sr. No.	Description	No of Months	Rate per Month	Total
1.	Fee	24		
2.	Sales Tax @ 16% on item S.No.1 above, which shall be kept as Provisional Sum in the Contract Agreement	-	-	Not Applicable till final decision of the Court of Law (4)
3.	Grand Total:	-	-	

Notes:

1. Fill in the monthly fee and direct reimbursable cost in the relevant spaces above.
2. The Retainer Fee per month pursuant to the Agreement shall be the professional legal services fee of the Consultant. The aforesaid fee shall include up to and not more than 40 hours of legal advisory services rendered by the Consultant every month.
3. The grand total is inclusive of all the applicable taxes. All these taxes (except the Sales Tax) are required to be built in the quoted rates and not be mentioned separately.
4. Any Omission or arithmetical error made by the Consultant in entering the amount against item 2 above shall also be rectified during evaluation of the Financial Proposal.



National Highway Authority



REQUEST FOR PROPOSAL

FOR

HIRING OF LEGAL INDIVIDUAL CONSULTANT FOR PPP PROJECTS

Tender No. 6(487-B)

Pages (1 to 21)

September, 2019

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GOVERNMENT OF PAKISTAN
NATIONAL HIGHWAY AUTHORITY
28-Mauve Area, G-9/1
Post Box No. 1205,
ISLAMABAD

Dated the _____
Ref No. _____

LETTER OF INVITATION (LOI)

To,

All suitable/competent lawyers

Gentlemen!

We extend warm welcome to you and invite you to participate in the bidding for hiring of Legal Individual Consultant for PPP Projects. We hope that you will review the content of this Request for Proposal (RFP) thoroughly and provide complete and accurate information so that the evaluation is carried out in a just and transparent manner. Please understand that the content of the RFP, where applicable shall be deemed to be part of the Contract Agreement. You are also advised to kindly read the RFP thoroughly to understand the requirements of NHA. In the end, we appreciate your participation and hope that you will feed a precise and complete proposal to merit consideration by NHA.

General Manager (P&CA)
National Highway Authority
Ministry of Communications
Government of Pakistan
28-Mauve Area, G-9/1, Islamabad
E-mail: gmpca@nha.gov.pk
Website: www.nha.gov.pk
Telephone: +92-51-9032727
Fax: +92-51-9260419



INSTRUCTIONS TO APPLICANTS (ITA)

1. INTRODUCTION

- 1.1 National Highway Authority ("NHA") hereby invites you to submit a proposal for legal consultancy services as required for the Assignment described in the attached Data Sheet. Your proposal could form the basis for negotiations and a Contract Agreement between you and the NHA.
- 1.2 The scope of work included in the Assignment and the Terms of Reference (TOR) thereof are given under Appendix-A hereof. Details provided in the Data Sheet and elsewhere in the RFP will become part of the Contract Agreement.
- 1.3 The Assignment shall be implemented in accordance with the requirements of NHA.
- 1.4 To obtain first-hand information on the Assignment and to seek any clarification in this regard, you may send your queries through courier, fax or e-mail to NHA at the address indicated in the Data Sheet within 7 days of publication of advertisement for procurement but earliest than five days of the latest date for submission of proposals. All such requests should be clearly written with the subject, "Queries of Pre-Proposal for the Hiring of Legal Individual Consultant for PPP Projects". NHA shall respond to such request via fax or e-mail and will also upload the replies to your queries on NHA website.
- 1.5 Please note that:
- i The costs of preparing and submitting the proposal including cost of attending the bid opening is not reimbursable; and
 - ii NHA is not bound to accept any of the proposals submitted and may reject all of them.
- 1.6 The minimum requirements for suitability of a candidate are specified in the Data Sheet. Proposals of candidates failing to meet the minimum requirements will be rejected and not evaluated further.
- 1.7 A Consultant shall not be hired for any assignment that, by its nature, may conflict with another assignment of the Consultant for the same or for another Client.





2. RFP DOCUMENTS

- 2.1 To prepare a proposal, please use the documents included in this RFP.
- 2.2 At any time before the day fixed as the last day for the submission of proposals, NHA may, for any reason, whether at its own initiative or in response to a clarification required by a Candidate modify the documents by amendment. The amendment, if any, shall be uploaded on the Clients website (www.nha.gov.pk); excepting any extension of time in submission of proposals which shall be published widely.

3. PREPARATION OF PROPOSAL

3.1 Proposal

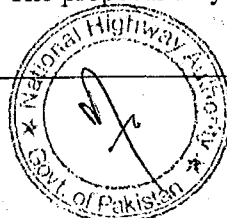
- 3.1.1 The proposal should be prepared using the format specified in the RFP documents.
- 3.1.2 The proposal prepared on the specified format shall be complete including your own documents as listed in the Data Sheet.
- 3.1.3 In preparing the proposal, you are expected to examine all terms and instructions included in the RFP documents. Failure to provide all requested information and documents shall be at your own risk and may result in adverse consequences for the score you achieve on evaluation of your proposal.
- 3.1.4 During preparation of the proposal, you must give particular attention to your suitability requirements listed against Sub-Clause 1.6 in the Data Sheet. (please refer Sub-Clause 1.7 above).

3.2 Financial Consideration

- 3.2.1 Form A-4 is attached for information to be filled in regarding remuneration in lieu of services required to be performed for this Assignment.
- 3.2.2 The remuneration as filled in Form A-4 will be inclusive of all taxes.

4. SUBMISSION OF PROPOSALS

- 4.1 All proposals must be delivered at the address specified in the Data Sheet on or before **6th November 2019 at 1130 hours**. The proposal may be submitted either

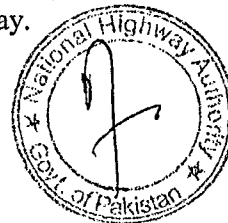


by hand through Authorized Representative or courier. If the day of submission of the proposals is declared as a national holiday by Government of Pakistan, then the proposals may be submitted by the same time of the next working day. Proposals received after the due time will not be accepted and returned to the Applicant(s) unopened.

- 4.2 The proposals must be prepared in English language. The Applicant must provide complete information along with copies of all relevant supporting documents. Any lapse to provide essential information shall render the proposal nonresponsive.
- 4.3 The proposal should be submitted in two sealed envelopes containing the technical proposal and financial proposal respectively, along with three (3) additional copies of the technical proposal only. The corresponding envelopes should be clearly marked as "**Technical Proposal**" and "**Financial Proposal**".
- 4.4 The original technical and financial proposals along with the required additional copies are to be duly signed and stamped by the authorized representative of the Applicant. If there are discrepancies between the original and the copies of the technical proposal, the original shall prevail.
- 4.5 The envelope containing sealed technical and financial proposals should be clearly marked "**Proposal for the Hiring of Legal Individual Consultant for PPP Projects**". A damaged/ torn envelope shall not be entertained and may be considered for disqualification by the Proposals Opening and Evaluation Committee.
- 4.6 The Applicant's proposal shall remain valid for 90 days after the submission date. Should the need arise, however, NHA may request the Applicant to extend the validity period of their proposals.

5. PROPOSAL OPENING AND EVALUATION

- 5.1 Proposals will be publicly opened at **1200 hours** on **6th November 2019**, in the presence of the Applicant's representatives who choose to attend at the location mentioned in Data Sheet. If the date for opening of proposals is declared as a national holiday by the Government of Pakistan, then the proposals will be opened on the same time on the next working day.
- 5.2 The name of the Applicants shall be read aloud.



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- 5.3 The evaluation committee appointed by the Client shall carry out its evaluation for the Assignment, applying the evaluation criteria and point system (marks) specified in the Data Sheet. Each responsive/ suitable technical proposal shall be given a score entirely based on technical proposal and the interview.
- 5.4 The Client shall notify the Applicants in writing, by registered letter, cable telex or facsimile and invite them for interview. The score earmarked for interview are mentioned in Data Sheet.
- 5.5 Each Applicant on the basis of a responsive/ suitable technical proposal and interview shall be attributed a technical score (St). The Candidates scoring less than fifty (50) percent technical score/ marks shall be disqualified and their financial proposals returned un-opened.
- 5.6 The Financial Proposals of technically qualifying Applicants on the basis of evaluation of technical proposals and interview receiving minimum fifty (50) percent score/ marks shall be publically opened in the presence of Applicant or their Authorized Representative who shall be invited for the occasion and who care to attend. The Client shall inform each technically qualified Applicant, the date, time and venue for opening of financial proposals. The total price and major components of each financial proposal shall be publicly announced to the attending Applicants.
- 5.7 The Evaluation Committee will correct any computational errors. When correcting computational errors, in case of discrepancy between a partial amount and the total amount, or between word and figures, the former will prevail. The Applicant shall only submit one proposal. If an Applicant submits or participates in more than one proposal, all such proposals shall be disqualified.
- 5.8 For the selection of Legal Individual Consultant, NHA will follow the "Quality and Cost Based Selection method" and adopt the "Single Stage Two Envelope Method" in accordance with Rule 36 (b) of Public Procurement Rules 2004. Scores will be allocated based on evidence available in the proposal and presentation/ interview only. The Contract will be awarded to the Applicant with the highest total score based on the following weight ratios:
- 80% for technical score
 - 20% for financial score

The NHA shall carry out its evaluation for the Assignment, applying the evaluation criteria and point system specified in the Data Sheet. Each responsive/suitable proposal shall be given a score.



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6. NEGOTIATION

The NHA may negotiate with the successful Applicant to the extent permitted by the applicable laws. Representatives conducting negotiations on behalf of the Applicant must have written authority to negotiate and conclude the Contract Agreement.

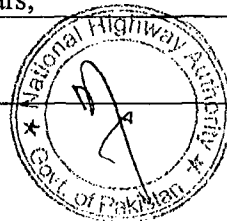
7. AWARD OF CONTRACT


Upon successful completion of selection of Legal Individual Consultant, the NHA shall promptly inform the other candidates through notification of award on the website of the NHA. The selected Legal Individual Consultant is expected to commence the Assignment in accordance with the Contract Agreement signed between NHA and the selected Legal Individual Consultant.



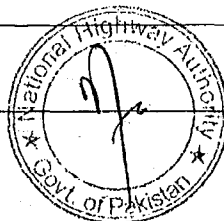
DATA SHEET

ITA Clause No.	Description of the Clause
1.1	The name of the Assignment is: Hiring of "Legal Individual Consultant" for PPP Projects The Client's name is National Highway Authority
1.2	As per TOR
1.4	<p>Attention: General Manager (P&CA) National Highway Authority 28, Mauve Area, G-9/1, Islamabad Telephone: +92-51-9032727 Facsimile: +92-51-9260419 Email: gmpca.nha@gmail.com</p> <p>A pre-proposal meeting shall be held at 1100 hours in NHA Auditorium on 21st October 2019.</p>
1.6	<p>Minimum Requirements:</p> <p>An Applicant will be considered nonresponsive and financial proposal of such Applicant will not be opened; if the Applicant is found to be below the following minimum criteria:</p> <ul style="list-style-type: none"> i scores less than 50% in technical evaluation; or ii if the Applicant (individual) does not hold any postgraduate qualification in law (e.g. LLM or Bar-at-Law); or iii If the Applicant (individual) has less than 10 years of experience in practicing law and providing advice in relation to corporate and commercial transactions; or iv If the Applicant fails to provide the following documents: <ul style="list-style-type: none"> a) Completed Proposal Submission Forms; b) Profile of the Applicant (individual); c) Tax returns for the last three (03) years;

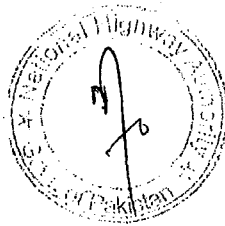


	<p>d) The whole proposal is signed either by the Applicant or authorized representative, in which case the authority letter must be submitted;</p> <p>e) An Affidavit duly signed and stamped by the Applicant or authorized representative of the Applicant, confirming that:</p> <ul style="list-style-type: none"> • The Applicant has never been blacklisted by any Bar, Government/ Semi Government department/authority/agency/company; and • All the information provided by the Applicant or any member of the Applicant is true and correct in all aspects;
<p>3.1.2</p>	<p>Required documents include:</p> <ol style="list-style-type: none"> 1. Profile of the consultant listing all clients for which the Applicant has worked on Infrastructure / Construction projects in the past ten (10) years. 2. A list of road infrastructure concessions in the Public Private Partnership mode on which the Applicant has worked in relation to matters mentioned under the Scope of Work given in the TOR under Appendix-A hereof. The Applicant is required to provide details of the road infrastructure projects as per template given under Form A-3. 3. Filled out Forms A-1, A-2, A-3 and A-4. 4. Attested copies of degree(s)/ certificate(s) of relevant educational qualifications from any gazetted officer. 5. Copies of certificate(s) of enrollment/membership with at least one bar council of Pakistan
<p>4.1</p>	<p>Address for sending proposal: General Manager (P&CA) National Highway Authority, Ministry of Communications, Govt. of Pakistan, HQ. Office – NHA, 28, Mauve Area, G-9/1, Islamabad, Telephone: +92-51-9032727 Facsimile: +92-51-9260419</p> 

5.1	<p>Address for Opening of Proposals:</p> <p>NHA Auditorium, National Highway Authority, HQ. Office – NHA, 27, Mauve Area, G-9/1, Islamabad</p>																		
5.3	<p><u>Technical Evaluation</u></p> <p>Technical proposals will be evaluated in accordance with the following Technical Evaluation Criteria:</p> <table border="1" data-bbox="400 656 1364 1485"> <thead> <tr> <th data-bbox="400 656 475 723">Sr#</th> <th data-bbox="475 656 1209 723">Assessment Criteria</th> <th data-bbox="1209 656 1364 723">Maximum Points</th> </tr> </thead> <tbody> <tr> <td data-bbox="400 723 475 913">1</td> <td data-bbox="475 723 1209 913">Experience in corporate advisory. 10 Points will be awarded to a candidate holding a cumulative of 10 years of relevant corporate advisory experience. 15 Points will be awarded in total for 15 or more years of relevant experience in corporate advisory.</td> <td data-bbox="1209 723 1364 913">15</td> </tr> <tr> <td data-bbox="400 913 475 1144">2</td> <td data-bbox="475 913 1209 1144">Transactional experience of negotiating road infrastructure concessions in Public Private Partnership mode of a transaction value of PKR 20 Billion or more. 10 Points will be awarded for 1 such concession, 20 Points for 2 such concessions, 25 points for 3 such concessions and 30 points for 4 or more such concessions.</td> <td data-bbox="1209 913 1364 1144">30</td> </tr> <tr> <td data-bbox="400 1144 475 1413">3</td> <td data-bbox="475 1144 1209 1413">Transactional experience of negotiating road infrastructure concessions in Public Private Partnership mode on behalf of Public Sector Enterprises of a transaction value over PKR 20 Billion. 10 Points will be awarded for 1 such concession, 20 Points for 2 such concessions, 30 points for 3 such concessions and 40 points for 4 or more such concessions.</td> <td data-bbox="1209 1144 1364 1413">40</td> </tr> <tr> <td data-bbox="400 1413 475 1485">4</td> <td data-bbox="475 1413 1209 1485">Interview with the evaluation committee</td> <td data-bbox="1209 1413 1364 1485">15</td> </tr> <tr> <td colspan="2" data-bbox="400 1451 1209 1485" style="text-align: right;">Total:</td> <td data-bbox="1209 1451 1364 1485">100</td> </tr> </tbody> </table>	Sr#	Assessment Criteria	Maximum Points	1	Experience in corporate advisory. 10 Points will be awarded to a candidate holding a cumulative of 10 years of relevant corporate advisory experience. 15 Points will be awarded in total for 15 or more years of relevant experience in corporate advisory.	15	2	Transactional experience of negotiating road infrastructure concessions in Public Private Partnership mode of a transaction value of PKR 20 Billion or more. 10 Points will be awarded for 1 such concession, 20 Points for 2 such concessions, 25 points for 3 such concessions and 30 points for 4 or more such concessions.	30	3	Transactional experience of negotiating road infrastructure concessions in Public Private Partnership mode on behalf of Public Sector Enterprises of a transaction value over PKR 20 Billion. 10 Points will be awarded for 1 such concession, 20 Points for 2 such concessions, 30 points for 3 such concessions and 40 points for 4 or more such concessions.	40	4	Interview with the evaluation committee	15	Total:		100
Sr#	Assessment Criteria	Maximum Points																	
1	Experience in corporate advisory. 10 Points will be awarded to a candidate holding a cumulative of 10 years of relevant corporate advisory experience. 15 Points will be awarded in total for 15 or more years of relevant experience in corporate advisory.	15																	
2	Transactional experience of negotiating road infrastructure concessions in Public Private Partnership mode of a transaction value of PKR 20 Billion or more. 10 Points will be awarded for 1 such concession, 20 Points for 2 such concessions, 25 points for 3 such concessions and 30 points for 4 or more such concessions.	30																	
3	Transactional experience of negotiating road infrastructure concessions in Public Private Partnership mode on behalf of Public Sector Enterprises of a transaction value over PKR 20 Billion. 10 Points will be awarded for 1 such concession, 20 Points for 2 such concessions, 30 points for 3 such concessions and 40 points for 4 or more such concessions.	40																	
4	Interview with the evaluation committee	15																	
Total:		100																	
5.6	<p><u>Financial Evaluation</u></p> <p>The fee for providing legal consultancy services shall be quoted inclusive of all applicable taxes in Pakistan in Form A-4.</p> <p>The formula for determining the Financial Score is the following: $S_f = 100 \times F_m / F$</p>																		



<p>Where, S_f is the Financial Score; F_m is the Lowest Price and F the Price of the Proposal under consideration.</p> <p>The Financial Proposal is the total competitive cost against the desired services quoted by the Applicant in the table under Form A-4.</p> <p><u>Combined Score</u></p> <p>The Applicant getting maximum marks on 80-20 weightage (80% for technical and 20% for financial) will be selected as Legal Individual Consultants for the Client. The weights given to the Technical (T) and Financial Proposals (F) are: $T = 0.80$ and $F = 0.20$</p>
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(Sample for Submission of Project Details)

SIGNIFICANT PROJECTS

Fill the below form for **each** project:

Assignment Name:

Client Name:

Project Value (PKR):

Completion Date:

Narrative Description of Project:

Description of Services provided:

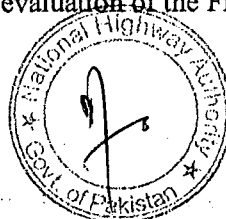


Summary of Costs

Sr. No.	Description	No of Months	Rate per Month	Total
1.	Fee	24		
2.	Direct (Non-Salary) Cost (Lump Sum)	-	-	
3.	Sub Total (1+2):	-	-	
4.	Sales Tax @ 16% on item S.No.3 above, which shall be kept as Provisional Sum in the Contract Agreement	-	-	Not Applicable till final decision of the Court of Law (4)
5.	Grand Total:	-	-	

Notes:

1. Fill in the monthly fee and direct reimbursable cost in the relevant spaces above.
2. The Retainer Fee per month pursuant to the Agreement shall be the professional legal services fee of the Consultant. The aforesaid fee shall include up to and not more than 40 hours of legal advisory services rendered by the Consultant every month.
3. A Lump Sum amount for out of pocket expenses relating to copying/ mailing and travel etc. may be quoted against Item at Sr. No.2 in above table which will be paid as per terms of payment under Schedule A to Draft Contract.
4. The amount quoted against Sub Total in Sr. No.3 in above table is the competitive cost and it will be used to calculate the Financial Score.
5. The grand total is inclusive of all the applicable taxes. All these taxes (except the Sales Tax) are required to be built in the quoted rates and not be mentioned separately.
6. Any Omission or arithmetical error made by the Consultant in entering the amount against item 4 above shall also be rectified during evaluation of the Financial Proposal.

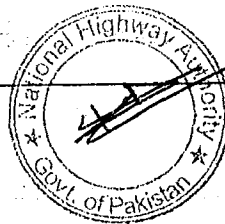


Appendix - A

Scope of Services/ Terms of Reference

The Legal Individual Consultant shall perform services as mentioned herein below for a period of 2 years. The specific tasks and activities to be performed by the Individual Consultant include, but are not limited to, the following:

- i. Advice on the overall process for PPP/ BOT projects including responsibilities of NHA with respect to Public Private Partnership Authority Act, 2017;
- ii. Review/drafting of significant contracts that NHA wishes to enter into and review of related documentation;
- iii. Review/drafting of significant contracts to be signed with contractors/institutions for financing of NHA's projects;
- iv. Review of selected existing contracts to identify legal loopholes and enforcement problems with respect to the same, and propose measures to cure the imperfections in the agreements by means of amendment and/or renegotiations;
- v. Review/Drafting of prequalification documents for PPP Projects;
- vi. Review/ Drafting of RFPs for PPP Projects;
- vii. Review/Drafting of Concession Agreements and ancillary agreements customary in Public-Private-Partnership and infrastructure Projects;
- viii. Provide advice with regard to agreements that are subject to disputes between NHA and its contractors;
- ix. Review and representation in negotiation of financing agreements in relation to RFP Projects;
- x. Representing NHA in Negotiation with bidders/contractors/concessionaire in relation to PPP Projects;
- xi. Providing advice to PPP wing and NHA in relation to relationship between NHA and Concessionaires during the lifecycle of PPP Projects.



Say No to Corruption

Representation in any court of law does not fall within the scope of services to be provided by the Applicant to the Client. However, any additional services, including court representation and arbitration services may be provided by the Applicant subject to separately agreed terms and conditions.

