

No.
GOVERNMENT OF SINDH
TRANSPORT & MASS TRANSIT
DEPARTMENT
Dated: 01-02-2016

Tele. 021-99211017
Fax. 021-99211298

The Managing Director,
Sindh Public Procurement Regulatory Authority,
Government of Sindh,
Karachi.

Subject: **NOTICE INVITING REQUEST FOR PRE-QUALIFICATION OF CONTRACTORS FOR CONSTRUCTION OF BUS RAPID TRANSIT SYSTEM "ORANGE LINE" INFRASTRUCTURE DEVELOPMENT**

I am directed to refer to the subject noted above and to enclose herewith Notice Inviting Request for Pre-Qualification of Contractors regarding Orange Line Bus Rapid Transit System (BRTS) published in the Daily leading Newspapers for hoisting on SPPRA website along with Notifications of Contractor Procurement Committee, Complaint Redressal Committee and copy of RFQ Document.


GHULAM AROOQ MANGREO
SECTION OFFICER (GENERAL)
For Secretary to Government of Sindh

A copy is forwarded for information & necessary action to the:-

1. The Director General, KMTC, TMTD, Govt. of Sindh, Karachi
2. PS to Secretary Transport & Mass Transit Department, Govt. of Sindh, Karachi.


SECTION OFFICER (GENERAL)

76444
09-02-16



GOVERNMENT OF SINDH
TRANSPORT & MASS TRANSIT
DEPARTMENT

Tele. 021-99211017
Fax. 021-99211298

NOTIFICATION

NO. MTC/BRT OL/2015//~~220~~: In compliance of Rule 07 of Sindh Public Procurement Rules, 2010, the Government of Sindh is pleased to constitute a Contractor Procurement Committee to hire the services of Contracting firm for development / construction of BRT Orange Line Project (Infrastructure development) in accordance with the design and specification attached with RFP documents.

The Contractor Procurement Committee shall have following composition and terms of reference:

S. No.	Designation	Status
1	Director General, KMTC, Transport and Mass Transit Deptt. GoS	Chairman
2	Project Director, BRT Orange Line Project, Transport and Mass Transit Deptt, GoS	Member
3	Chief Engineer / Dy. Project Director, BRT Orange Line Project	Member
4	Representative of Finance Department, GoS (Not below BSP-18)	Member
5	Additional Director, TCD, KMC	Member
6	Vetting and Supervision Consultant (NESPAK), BRT Orange Line Project	Co-opt Member

Terms of Reference:

- The Committee shall oversee selection process of hiring the services of Contractor for development / construction of BRT Orange Line Project (Infrastructure development) in accordance with the design and specification attached with RFP documents.
- The Committee shall evaluate the bids and select the lowest evaluated bidder;
- The Committee shall recommend preferred / lowest evaluate bidder/contractor to execute the subject work;
- The Committee shall perform any other task required on account of hiring of contractor;

Secretary

Transport and Mass Transit Department,
Government of Sindh

NO. MTC/BRT OL/2015//~~220~~

Karachi dated December 18, 2015

A Copy is forwarded for information to:

- Chairman / Members (all) of the Committee.
- Deputy Secretary (Staff) to Chief Secretary, Sindh.
- The P.S. to Secretary Transport & Mass Transit Department.
- Master file.


Ghulam Farooq Mangrio
Section Officer (General)



**GOVERNMENT OF SINDH
TRANSPORT & MASS TRANSIT
DEPARTMENT**

NOTIFICATION


No. KMTC/TMTD/BRTS/OL/2015/ 324: In compliance of Rule-31(1) of Sindh Public Procurement Rules, 2010, Transport and Mass Transit Department, GoS is pleased to constitute a Redressal Committee to address the Grievances of Consulting firm/Contractors for BRT "Orange Line".

The Complaint Redressal Committee shall have following composition and terms of reference:

S. No.	Designation	Status
1	Secretary Transport, TMTD, GoS	Chairman
2	Director General, KMTC, TMTD, GoS	Member
3	Additional Secretary, Works & Services, Department, GoS	Member
4	Dr. Mir Shabbar Ali, Chairman Urban Infrastructure, NED University, Karachi.	Member
5	Representative from Accountant General, Sindh	Member

Terms of Reference:

- i. The Committee shall examine the complaint of consulting firms/contractors and review the evaluation process for hiring the services of the firm/s for BRT "Orange Line" in accordance with the Evaluation Criteria provided in the RFP Documents;
- ii. The Committee shall announce its decision within Seven (07) days.
- iii. The decision shall be intimated to the bidders and the Authority within three (03) working days.


Secretary to Government of Sindh

NO. KMTC/TMTD/BRTS/OL/2015/ 324:

Karachi dated December 28, 2015

A Copy is forwarded for information to:

1. Chairman / Members (all) of the Committee.
2. Managing Director, SPPRA, GoS.
3. Deputy Secretary (Staff) to Chief Secretary, Sindh.
4. The P.S to Chief Secretary Sindh, Karachi.
5. Master file.


Fazal Karim Khatri
Director (P&C)



TRANSPORT AND MASS TRANSIT DEPARTMENT

BUS RAPID TRANSIT SYSTEM (BRTS)

INFRASTRUCTURE DEVELOPMENT

PROJECT FROM TOWN MUNICIPAL ADMINISTRATION (TMA)
ORANGI TOWN TO BACHA KHAN FLYOVER AT BANARAS

PRE QUALIFICATION DOCUMENT

JANUARY, 2016



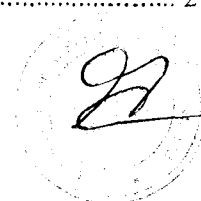
NATIONAL ENGINEERING SERVICES PAKISTAN (PVT.) LIMITED

13th Floor, N.I.C. Building, Abbasi Shaheed Road, Off Shakra-e-Faisal, KARACHI-74400
P. O. Box 5772, KARACHI, Pakistan Ph. No. (021) 99090000, 99225277-84 Fax No. (021) 35651994, 89225366
E-mail enquiry@nespa.gov.pk info@nespa.gov.pk Website www.nespa.gov.pk

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BUS RAPID TRANSIT SYSTEM (BRTS) 'ORANGE LINE'

INFRASTRUCTURE DEVELOPMENT

Package: I (From TMA Office Orangi Town to Bacha Khan Fly Over at Banaras)

INSTRUCTIONS TO APPLICANTS

1. Scope of Works

Transport and Mass Transit Department(TMTD), Government of Sindh (The Employer) is undertaking Bus Rapid Transit System (BRTS) 'Orange Line' Infrastructure Development Package-I : From TMA Office Orangi Town to Bacha Khan Fly over at Banaras, Karachi. The components of the works shall consist of but not limited to:

- Elevated BRT Section
- At grade dedicated BRT Section
- Existing roads, roundabout & intersection improvement
- Existing road widening
- Widening of bridge at Orangi Nallah
- Elevated and at-grade Bus Stations including pedestrian bridge, Escalators and lighting
- External Electrification/Illumination

2. Submission of Applications

- 2.1 Transport and Mass Transit Department, Government of Sindh invites applications from firms to undertake the **Bus Rapid Transit System (BRTS) "Orange Line" Infrastructure Development Package-I: From TMA Office Orangi Town to Bacha Khan Fly over at Banaras, Karachi.**
- 2.2 Applications for Pre-qualification (one original and one copy) must be received in sealed envelopes to be delivered by hand or through registered mail to:

Project Director
BRT Orange Line Project
Transport & Mass Transit Department
Government of Sindh
6th Floor, East Annex, Civic Centre,
Gulshan-e-Iqbal
Karachi - 75300

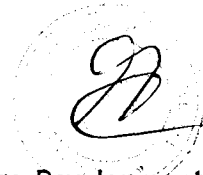
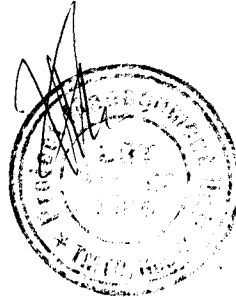
Telephone: (021) 99230665

Fax: (021) 99231153

by Feb 15, 2016 at 2:00 pm.

and be clearly marked "Application for Pre-qualification" for

Bus Rapid Transit System (BRTS) "Orange Line" Infrastructure Development Package-I: From TMA Office Orangi Town to Bacha Khan Fly over at Banaras, Karachi.



- 2.3 All pages of the Prequalification documents shall be numbered, stamped and signed by the Authorized person.
- 2.4 The name and mailing address of the applicant shall be clearly marked on top left corner of the envelope.
- 2.5 The applications shall be prepared in English language. Information in any other language shall be accompanied by its translation in English. The Employer reserves the right for rejection of Pre-qualification incase of non-compliance of the above requirement.
- 2.6 The applicants must respond to all questions and provide complete information as advised in this document. Any false statement provided or any lapses to provide essential information may result in disqualification of the applicant.
- 2.7 Clarification meeting would not be held. Applicant, who has obtained Pre-qualification documents, may request for clarification of contents of the document in writing, and response to such queries shall be made in writing within three (03) calendar days, provided they are received at least seven (07) calendar days prior to the date of submission of Pre-qualification documents. Seeking clarification shall not form the basis for any extension of time for submission of Prequalification documents.
- 2.8 At any time prior to the deadline for submission of documents, the Employer may amend the Prequalification document by issuing addenda. Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the Pre-qualification Document.
- 2.9 The Employer may, at its discretion, extend the deadline for the submission of documents by amending the Prequalification Document.
- 2.10 To assist in the evaluation of information, the Employer may, at its discretion, ask any applicant for a clarification of any information which shall be submitted within a stated reasonable period of time. Any request for clarification shall be in writing. If any applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, then application of the applicant shall be judged based on the submitted documents.

3. Qualification Criteria

3.1 General

Pre-qualification will be based on all the criteria given in succeeding paras 3.2 to 3.5 regarding the applicant's experience, personnel, equipment & financial capabilities, as demonstrated by the applicant's responses in the forms provided.

Sub-contractor's experience and resources shall not be taken into account in determining the applicant's compliance with the qualifying criteria. However, for Joint Venture, collective experience & resources of all firms will be considered as per Clause 5 of this document.

The Employer reserves the right to verify or seek clarification of the information furnished by the applicants. The Employer may reject any application for any false statement knowingly made by any applicant in, or pursuant to, their application or for any statement furnished in connection therewith, and intended to be relied upon by



the Employer, which is incorrect in any respect.

3.2 Preliminary Examination

All applications/ documents submitted shall be checked for the following items:

- 3.2.1 Has the Letter of Application (Annex A) been signed?
- 3.2.2 Has all information asked for in **Form A-1 to A-10** been provided?
- 3.2.3 Have all Affidavits required under **Form A-9** been provided and duly signed by the authorized person?
- 3.2.4 Have audited balance sheets of last **three years** been provided?
- 3.2.5 In case of Joint Venture; has the relevant agreement been provided and duly signed?

3.3 Initial Scrutiny

All the applicants shall be subjected to initial scrutiny using the following criteria:

- 3.3.1 Registration with Pakistan Engineering Council in **Category C-1 or above** and at least in specialization codes **CE01 , CE02 and CE10**.
- 3.3.2 At least one (01) **number** project of similar/ comparable nature having cost of **Rs. 400 million** completed during the last **ten years**.

3.4 Detailed Evaluation

After the initial screening of all applicants, a detailed evaluation of the applicants shall be undertaken using the following criteria based on the scoring system as follows:

Clause	Category	Points	
		Maximum	Minimum Acceptable
3.4.1	Financial	35	17.5
3.4.2	Experience	35	17.5
3.4.3	Personnel	15	7.5
3.4.4	Equipment	15	7.5

To qualify, applicants must receive not less than the specified minimum acceptable points for each category and aggregate 60% points.

3.5 Criteria for Detailed Evaluation

Detailed evaluation criteria is as below:-

- 3.5.1 **Financial Capability** of an applicant will be taken as follows:

- 3.5.1.1 The applicant should demonstrate that he has access to, or has available liquid assets, un-encumbered real assets, lines of credit and other financial means sufficient to meet the cash flow for the execution of works.

Applicant's commitments for other ongoing contracts shall also be considered.

3.5.1.2 The Audited Balance Sheets and Annual Turn Over for the last three years (Form A-3 and A-4) from Chartered Accountant firm must be submitted and should demonstrate the soundness of the applicant's financial position. Where necessary, the Employer will make inquiries with the applicant's bankers.

3.5.1.3 Points shall be awarded under this category based on the following criteria :

Sr. No.	Description	Max Points Assigned	Criteria for Points Obtained
a)	Available Bank Credit Line (latest)	03	<ul style="list-style-type: none"> One (1) Point is given if the available bank credit line limit is equal to Rs. 50 Million. Half (0.5) additional point is given for every Rs. 25 million increase in the credit line. Full Points are given in case of Rs. 150 million or above.
b)	Average Working Capital in last three (3) years	15	<ul style="list-style-type: none"> Ten (10) Points are given if the average working capital for last three years is equal to Rs. 80 Million. One (01) additional point is given for every Rs. 14 million increase in the working capital. Full Points are given in case of working capital Rs. 150 million or above.
c)	Average Annual Turnover in last three (3) years	15	<ul style="list-style-type: none"> Ten (10) Points are given if the average annual Turnover in last three years is equal to Rs. 700 Million. One (01) additional point is given for every Rs. 100 million increase in the average annual turnover. Full Points are given in case of average annual Turnover Rs. 1200 million or above.
d)	Income tax return for the last three (3) years	02	<ul style="list-style-type: none"> No Point will be given if income tax return is not submitted. Full Points will be given in case of income tax return for the last three (3) years is submitted.
Total Points Allocated		35	

3.5.2 Experience

3.5.2.1 Experience for Projects Completed (Form A-2) will be evaluated on the basis of the following points:

(Information regarding similar/ comparable projects completed is to be supported by documents such as Taking over/ Completion Certificate, Maintenance/ Defects Liability Certificate and any other relevant document)

Experience	Points
Projects of similar/ comparable nature executed during last ten (10) years.	
Rs. 400 million or above (One Project)	17.5
Rs. 400 million or above (Two Projects)	26
Rs. 400 million or above (Three Project)	35
Maximum Points	35

3.5.3 Personnel (Form A-5 & A-6) will be evaluated on the basis of following points:

Key Personnel	Points
i. Project Manager	5
ii. Site Engineer	4
iii. Material Specialist	3
iv. Surveyor	2
v. Quantity Surveyor	1
Maximum Points	15

(Information regarding educational qualification, total work experience and specific work experience is to be supported by documents such as copy of education qualification certificate/degree and CVs of concerned personal propose for the above position duly signed and any other relevant documents. Engineers should have valid PEC certificate).

Points for personnel will be given on the basis of the following criteria:

3.5.3.1 Project Manager (Form A-5 and A-6)
(must be a University Engineering Degree holder in Civil)

	Points
Master Degree (Engineering) in civil	1.00
Maximum Points	1.00
Total work Experience (years)	
More than 20	2.00
15 ⁺ -20	1.50
10 ⁺ -15	1.00
05 ⁺ -10	0.50
05 or less	0.00
Maximum Points	2.00
Specific Experience (years)	
More than 15	2.00
10 ⁺ -15	1.50
05 ⁺ -10	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	2.00
Maximum Points	5.00

3.5.3.2 Site Engineer (Form A-5 and A-6)
(must be a University Engineering Degree holder in Civil)

	Points
Total work Experience (years)	
More than 20	2.00
15 ⁺ -20	1.50
10 ⁺ -15	1.00
05 ⁺ -10	0.50
05 or less	0.00
Maximum Points	2.00
Specific Experience (years)	
More than 10	2.00
05 ⁺ -10	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	2.00
Maximum Points	4.00

3.5.3.3 Material Specialist (Form A-5 and A-6)
(must be diploma holder in Civil Engineering)

	Points
Total work Experience (years)	
More than 10	1.50
05 ⁺ -10	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	1.50
Specific Experience (years)	
More than 07	1.50
03 ⁺ -07	1.00
03 or less	0.00
Maximum Points	1.50
Maximum Points	3.00

3.5.3.4 Surveyor (Form A-5 and A-6)
(must be diploma holder in Civil Engineering)

	Points
Specific Experience (years)	
More than 12	2.00
08 ⁺ -12	1.50
05 ⁺ -08	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	2.00

3.5.3.5 Quantity Surveyor (Form A-5 and A-6)
(must be a Diploma of Associate Engineer in Civil Engineering)

	Points
Specific Experience (years)	
More than 07	1.00
05 ⁺ -07	0.75
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	1.00

3.5.4 Equipment Capabilities (Form A-7)

The applicant should own, or have assured access to (through rented, lease, purchase agreement or other means), the following key equipment (limited to only major items of equipment) in full working order, and must demonstrate that, based on known commitments, these will be available for deployment on the proposed contract or works (Form A-7). The applicant may also list alternative equipment which he would propose for the contract together with an explanation of the alternate proposal.

Points will be given on the basis of the following criteria:

Equipment Type & Characteristics	Required (Nos.)	Points
1. Dump Trucks min 5m ³ cap	2	1
2. Loaders	1	1
3. Excavators	1	1
4. Transit Mixers	1	1
5. Grader	1	1
6. Rollers (Vibratory/ Tandem)	1	1
7. Pneumatic Tire Rollers	1	1
8. Water Bowser	2	1
9. Concrete Mobile Pump	1	1
10. Pre-stressing Equipment/ Jacks	1	1
11. Piling Equipment Rigs	1	1
12. Crane 20 ton cap.	1	1
13. Welding Plants	1	1
14. Compressor	1	1
15. Generators	1	1
Maximum Points		15

3.5.5 Litigation History (Form A-8)

The applicant should provide accurate information of all litigation or arbitration resulting from contracts completed or under execution. A history of more than two(02) awards against the applicant or any partner of a joint venture may result in rejection of the application.

4. Black Listing & Other Affidavits (Form A-9)

An affidavit/ Undertaking is to be provided that the applicant has never been black listed.

The applicant should also provide an undertaking/ affidavit on non-judicial **stamp paper** to the effect that all documents / particulars / information given with this Pre-qualification document are true.

The applicant should also provide an affidavit to the effect that the applicant has never indulged in corrupt, fraudulent or collusive practices for procuring contracts.

5. Joint Venture (JV)

Joint Venture (JV) must comply with the following requirements:-

- 5.1 They must collectively qualify the criteria given in clause 3 heretofore, for which purpose the relevant figures for each of the partners shall be added together to arrive at their total capacity.

5.2 Pre-qualification Document shall be signed by all members in the JV, so as to legally bind all partners, jointly and severally. The Pre-qualification document shall be submitted along with a copy of the JV agreement providing the joint and several liabilities with respect to the contract.

5.3 The Pre-qualification of a Joint Venture (JV) does not necessarily prequalify any of its partners individually or as a partner in any other Joint Venture (JV). In case of dissolution of a Joint Venture (JV), each one of the constituent firms may pre-qualify if they meet all the prequalification requirements and any partner has requested/shall request for the same and then his pre-qualification shall be subject to the written approval of the Employer.

6. Conflict of Interest

The applicant (including all members of a Joint Venture (JV) must not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other post qualification and bidding documents for the project, or was proposed as Engineer for the contract. Any such association may result in disqualification of the applicant.

7. Updating Pre-qualification Information

Bidders shall be required to update the financial, personnel and equipment information used for prequalification at the time of submitting their bids, to confirm their continued compliance with the qualification criteria and verification of the information provided at the time of prequalification. A bid shall be rejected

8. Other Factors

8.1 Only firms and JVs that have been pre-qualified under this procedure shall be invited to bid. A qualified firm or a member of a qualified Joint Venture (JV), Consortium or Association may participate only in one bid for the contract. If a firm submits more than one bid, singly or as a Joint Venture (JV), Consortium or Association, all bids including that bidder will be rejected. This rule will not apply in respect of bids which include specialist sub-contractors who are used by more than one bidder.

8.2 The Employer reserves the right to:-

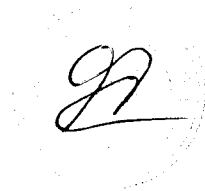
8.2.1 Amend the scope and value of any contract(s) to be bid, in which event the bidder(s) will only bid among those pre-qualified bidders who meet the requirements of the contract(s) as amended. However the Employer has to review the disqualified bids who originally do not meet the specified criteria for Pre-qualification.

8.2.2 Reject or accept any or all applications without giving any explanation; and

8.2.3 Cancel the Pre-qualification process and reject all applications.

The Employer shall neither be liable for any such actions nor be under any obligation to inform the applicant of the grounds for rejection.

ANNEXURE-A

A circular stamp containing a handwritten signature in black ink. The signature is stylized and appears to be the initials 'JH'.

Annex-A

Letter of Application

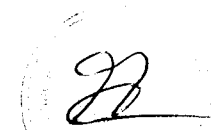
[Letterhead paper of the Applicant, or partner responsible for a joint venture, including full postal address, telephone no., fax no., telex no., cable and e-mail address]

Date:.....

To: Project Director
BRT Orange Line Project
Transport & Mass Transit Department
Government of Sindh
6th Floor, East Annex, Civic Centre,
Gulshan-e-Iqbal
Karachi – 75300
Telephone: (021) 99230665
Fax: (021) 99231153

Sirs,

1. Being duly authorized to represent and act on behalf of..... (hereinafter "the Applicant"), and having reviewed and fully understood all the pre qualification information provided, the undersigned hereby apply to be pre qualified as a bidder of the work for the **Bus Rapid Transit System (BRTS) "Orange Line" Infrastructure Development : Package I (From Town Municipal Administration office Orangi Town to Bacha Khan Fly over at Banaras), Karachi.**
2. Attached to this letter are copies of original documents defining¹:
 - (a) the Applicant's legal status;
 - (b) the principal place of business; and
 - (c) the place of incorporation (for applicants who are corporations); or the place of registration and the nationality of the owners (for applicants who are partnerships or individually-owned firms).



(1) For applications by joint ventures, all the information requested in the Pre-qualification documents is to be provided for each member/partner separately. All members/partners shall sign the letter.

3. Your Organization and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and requested by yourselves or the authorized representative to verify statements and information provided in this application, or with regard to the resources, experience, and competence of the applicant.
4. Your Organization and its authorized representatives may contact the following persons for further information², if needed.

General and Managerial Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Personnel Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Technical Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Financial Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

5. This application is made with the full understanding that:
 - (a) bids by pre-qualified applicants will be subjected to verification of all information submitted for pre-qualification at the time of bidding;
 - (b) your Organization reserves the right to:
 - (i) amend the scope and value of any contract under this project; in such event bids will only be called from pre-qualified bidders who meet the revised requirements; and

(2) Application by joint ventures should provide information on separate sheet for each party to the application.

- (ii) reject or accept any application, cancel the pre-qualification process, and reject applications; and
- (c) Your Organization shall not be liable for any such actions and its consequences and under no obligation to inform the applicant of the grounds for actions at 5(b) here above.

Applicants who are not joint ventures should delete para 6 & 7 and initial the deletions.

- 6. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, to the joint venture. We also specify the financial commitment in terms of the percentage of the value of the (each) contract, and the responsibilities for execution of the (each) contract.
- 7. We confirm that in the event that we bid, that bid as well as any resulting contract will be.
 - (a) signed so as to legally bind all partners, jointly and severally; and
 - (b) submitted with a Joint Venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.
- 8. We certify that the information provided in Pre-qualification document is correct and final to the best of our knowledge and nothing contained herein, is contrary to the facts as available with the firm's official record and that The Employer has complete right to disregard our application should it fail to meet any of their pre-qualification criteria.
- 9. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead/authorized partner/member of a joint venture)	For and on behalf of (name(s) of other authorized partner(s)/member(s) of a joint venture)



General Information

All individual firms and each partner of a Joint Venture applying for pre-qualification are requested to complete the information in this form. Nationality information is also to be provided for foreign owners or applicants who are forming part of the Joint Venture, as required under the PEC Bye-Laws as a Joint Venture.

Where the Applicant proposes to use named subcontractors for critical components of the works or for work contents in excess of 10 percent of the value of the whole works, the following information should also be supplied for the specialist subcontractor(s).

1.	Name of Firm	
2.	Head Office Address	
3.	Telephone	Contact Person: Name: Title:
4.	Fax	
5.	Email	Telex
6.	Place of Incorporation/Registration	Year of incorporation/registration

NAME AND NATIONALITY OF OWNERS		
	NAME	NATIONALITY
1.		
2.		
3.		
4.		
5.		

Experience of Similar/ Comparable Projects Completed

Name of Applicant or partner of a joint venture

Applicants and each partner to an application should provide information along with Taking over Certificate, Maintenance/ Defects Liability Certificate and any other relevant document, on their completed contracts (value equivalent to **Pak Rs. 400 Million or more**) of similar/ comparable nature executed during last **ten (10)** years. (Instructions to Applicants, Para 3.5.2).

Use a separate sheet for each contract.

1.	Name of Contract
	Country
2.	Name of Employer
3.	Employer Address, Phone numbers & Email address
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify
5.	Contract Role (Tick One) (a) Main Contractor (b) Sub- Contractor (c) Partner in a Joint Venture
6.	Value of the total contract at completion, or at date of award for current contract Contract Price Currency.....
7.	Equivalent in Pak/Rs.
8.	Date of Award
9.	Date of Completion
10.	Contract Duration (Years and Months) _____ Years _____ Months

Additional Information

Name of Applicant or partner of a joint venture

Additional Information

1. Certificate of Registration with Pakistan Engineering Council.
2. Certificate of registration with Income Tax Department in Pakistan and Income Tax Return for the last **three (3)** years.
3. An affidavit to the effect that the Applicant has never been black-listed by the government /Semi government or any autonomous body.
4. An affidavit to the effect that all documents / particulars / information given with this pre-qualification document are true.
5. An affidavit to the effect that the Applicant has never indulged in corrupt, fraudulent or collusive practice for procuring contracts.
6. An affidavit to the effect that the firm is not presently involved nor has been in the past in litigation with the Employer. Should this be otherwise the Applicant must provide such details in **Form A-8** "Litigation History".
7. Integrity Pact attached as Application **Form A-10** duly signed.
8. Any other pertinent information in support of this prequalification should also be furnished.

Disqualification

"The Employer may disqualify the applicant(s) if it finds, at anytime, that the information submitted by him concerning his qualification was false and materially inaccurate or incomplete."



Integrity Pact

DECLARATION OF FEES, COMMISSIONS AND BROKERAGE ETC. PAYABLE BY THE SUPPLIERS/CONTRACTORS OF GOODS, SERVICES & WORKS

_____ [the Seller/Supplier/Contractor] hereby declares its intention not to obtain or induce the procurement of any contract, right, interest, privilege or other obligation or benefit from Government of Sindh (GoS) or any administrative subdivision or agency thereof or any other entity owned or controlled by it (GoS) through any corrupt business practice,

Without limiting the generality of the foregoing, [the Seller/Supplier/Contractor] represents and warrants that it has fully declared the brokerage, commission, fees etc. paid or payable to anyone and not given or agreed to give and shall not give or agree to give to anyone within or outside Pakistan either directly or indirectly through any natural or juridical person, including its affiliate, agent, associate, broker, consultant, director, promoter, shareholder, sponsor or subsidiary, any commission, gratification, bribe, finder's fee or kickback, whether described as consultation fee or otherwise, with the object of obtaining or including the procurement of a contract, right, interest, privilege or other obligation or benefit in whatsoever form from (GoP), except that which has been expressly declared pursuant hereto.

[The Seller/Supplier/Contractor] certifies that it has made and will make full disclosure of all agreements and arrangements with all persons in respect of or related to the transaction with (GoS) and has not taken any action or will not take any action to circumvent the above declaration, representation or warranty.

[The Seller/Supplier/Contractor] accepts full responsibility and strict liability for making any false declaration, not making full disclosures, misrepresenting facts or taking any action likely to defeat the purpose of this declaration, representation or warranty. It agrees that any contract, right, interest, privilege or other obligation or benefit obtained or procured as aforesaid shall, without prejudice to any other right and remedies available to (GoS) under any law, contract or other instrument, be avoidable at the option of (GoS).

Notwithstanding any rights and remedies exercised by (GoS) in this regard, [the Seller/Supplier/Contractor] agrees to indemnify (GoS) for any loss or damage incurred by it on account of its corrupt business practices and further pay compensation to (GoS) in an amount equivalent to ten times the sum of any commission, gratification, bribe, finder's fee or kickback given by [the Seller/Supplier/Contractor] as aforesaid for the purpose of obtaining or inducing the procurement of any contract, right, interest, privilege or other obligation or benefit in whatsoever form from (GoS).

Name of Employer.....
Signature.....
Seal

Name of Applicant.....
Signature.....
Seal





TRANSPORT AND MASS TRANSIT DEPARTMENT

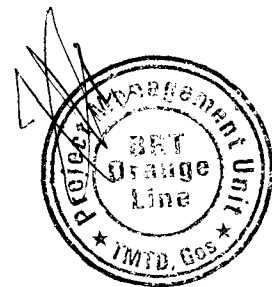
BUS RAPID TRANSIT SYSTEM (BRTS)

INFRASTRUCTURE DEVELOPMENT

PACKAGE-II: FROM BACHAKHAN FLYOVER AT BANARAS TO
JINNAH UNIVERSITY FOR WOMEN

PRE QUALIFICATION DOCUMENT

JANUARY, 2016



NATIONAL ENGINEERING SERVICES PAKISTAN (PVT.) LIMITED
13th Floor, N.I.C. Building, Abbasi Shaheed Road, Off. Shakra-e-Faisal, KARACHI-74400
P. O. Box 5772, KARACHI, Pakistan Ph. No. (021) 99090000, 99225277-84 Fax No. (021) 35651994, 99225366
E-mail info@nespk.com sales@nespk.com Website www.nespk.com



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BUS RAPID TRANSIT SYSTEM (BRTS) 'ORANGE LINE'

INFRASTRUCTURE DEVELOPMENT

Package: II (From Bacha Khan Fly Over at Banaras to Board Office)

INSTRUCTIONS TO APPLICANTS

1. Scope of Works

Transport and Mass Transit Department (TMTD), Government of Sindh (The Employer) is undertaking Bus Rapid Transit System (BRTS) 'Orange Line' Infrastructure Development Package-II: From Bacha Khan Fly over at Banaras to Board Office. The components of the works shall consist of but not limited to:

- At-grade dedicated BRT Corridor
- Improvement of existing road, roundabout & intersection
- At-grade bus stations including pedestrian bridge, Escalators, Elevators and lighting
- Electrical works (BRT Corridor)
- Bus depot

2. Submission of Applications

2.1 Transport and Mass Transit Department, Government of Sindh invites applications from firms to undertake the Bus Rapid Transit System (BRTS) "Orange Line" Infrastructure Development Package-II: From Bacha Khan Fly over at Banaras Board Office.

2.2 Applications for Pre-qualification (one original and one copy) must be received in sealed envelopes to be delivered by hand or through registered mail to:

Project Director
BRT Orange Line Project
Transport & Mass Transit Department
Government of Sindh
6th Floor, East Annex, Civic Centre,
Gulshan-e-Iqbal
Karachi – 75300
Telephone: (021) 99230665
Fax: (021) 99231153

by Feb 15, 2016 at 2:00 pm.
and be clearly marked "Application for Pre-qualification" for



Bus Rapid Transit System (BRTS) "Orange Line" Infrastructure Development
Package-II: From Bacha Khan Fly over at Banaras to Board Office.



- 2.3 All pages of the Prequalification documents shall be numbered, stamped and signed by the Authorized person.
- 2.4 The name and mailing address of the applicant shall be clearly marked on top left corner of the envelope.
- 2.5 The applications shall be prepared in English language. Information in any other language shall be accompanied by its translation in English. The Employer reserves the right for rejection of Pre-qualification in case of non-compliance of the above requirement.
- 2.6 The applicants must respond to all questions and provide complete information as advised in this document. Any false statement provided or any lapses to provide essential information may result in disqualification of the applicant.
- 2.7 Clarification meeting would not be held. Applicant, who has obtained Pre-qualification documents, may request for clarification of contents of the document in writing, and response to such queries shall be made in writing within three **(03)** calendar days, provided they are received at least seven **(07)** calendar days prior to the date of submission of Pre-qualification documents. Seeking clarification shall not form the basis for any extension of time for submission of Prequalification documents.
- 2.8 At any time prior to the deadline for submission of documents, the Employer may amend the Prequalification document by issuing addenda. Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the Pre-qualification Document.
- 2.9 The Employer may, at its discretion, extend the deadline for the submission of documents by amending the Prequalification Document.
- 2.10 To assist in the evaluation of information, the Employer may, at its discretion, ask any applicant for a clarification of any information which shall be submitted within a stated reasonable period of time. Any request for clarification shall be in writing. If any applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, then application of the applicant shall be judged based on the submitted documents.

3. Qualification Criteria

3.1 General

Pre-qualification will be based on all the criteria given in succeeding paras **3.2 to 3.5** regarding the applicant's experience, personnel, equipment & financial capabilities, as demonstrated by the applicant's responses in the forms provided.

Sub-contractor's experience and resources shall not be taken into account in determining the applicant's compliance with the qualifying criteria. However, for Joint Venture, collective experience & resources of all firms will be considered as per Clause 5 of this document.

The Employer reserves the right to verify or seek clarification of the information furnished by the applicants. The Employer may reject any application for any false statement knowingly made by any applicant in, or pursuant to, their application or for any statement furnished in connection therewith, and intended to be relied upon by the Employer, which is incorrect in any respect.



3.2 Preliminary Examination

All applications/ documents submitted shall be checked for the following items:

- 3.2.1 Has the Letter of Application (Annex A) been signed?
- 3.2.2 Has all information asked for in **Form A-1 to A-10** been provided?
- 3.2.3 Have all Affidavits required under **Form A-9** been provided and duly signed by the authorized person?
- 3.2.4 Have audited balance sheets of last **three years** been provided?
- 3.2.5 In case of Joint Venture; has the relevant agreement been provided and duly signed?

3.3 Initial Scrutiny

All the applicants shall be subjected to initial scrutiny using the following criteria:

- 3.3.1 Registration with Pakistan Engineering Council in **Category C-1 or above** and at least in specialization codes **CE01, CE02 and CE10**.
- 3.3.2 At least **one (01) number** project of similar/ comparable nature having cost of **Rs. 300 million** completed during the last **ten years**.

3.4 Detailed Evaluation

After the initial screening of all applicants, a detailed evaluation of the applicants shall be undertaken using the following criteria based on the scoring system as follows:

Clause	Category	Points	
		Maximum	Minimum Acceptable
3.4.1	Financial	35	17.5
3.4.2	Experience	35	17.5
3.4.3	Personnel	15	7.50
3.4.4	Equipment	15	7.50

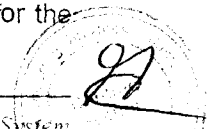
To qualify, applicants must receive not less than the specified minimum acceptable points for each category and aggregate 60% points.

3.5 Criteria for Detailed Evaluation

Detailed evaluation criteria is as below:-

3.5.1 Financial Capability of an applicant will be taken as follows:

- 3.5.1.1 The applicant should demonstrate that he has access to, or has available liquid assets, un-encumbered real assets, lines of credit and other financial means sufficient to meet the cash flow for the execution of works.



Applicant's commitments for other ongoing contracts shall also be considered.

3.5.1.2 The Audited Balance Sheets and Annual Turn Over for the **last three years (Form A-3 and A-4)** from Chartered Accountant firm must be submitted and should demonstrate the soundness of the applicant's financial position. Where necessary, the Employer will make inquiries with the applicant's bankers.

3.5.1.3 Points shall be awarded under this category based on the following criteria:

Sr. No.	Description	Max Points Assigned	Criteria for Points Obtained
a)	Available Bank Credit Line (latest)	03	<ul style="list-style-type: none"> One (1) Point is given if the available bank credit line limit is equal to Rs. 30 Million. Half (0.5) additional point is given for every Rs. 20 million increase in the credit line. Full Points are given in case of Rs. 110 million or above.
b)	Average Working Capital in last three (3) years	15	<ul style="list-style-type: none"> Ten (10) Points are given if the average working capital for last three years is equal to Rs. 50 Million. One (01) additional point is given for every Rs. 10 million increase in the working capital. Full Points are given in case of working capital Rs. 100 million or above.
c)	Average Annual Turnover in last three (3) years	15	<ul style="list-style-type: none"> Ten (10) Points are given if the average annual Turnover in last three years is equal to Rs. 600 Million. One (01) additional point is given for every Rs. 80 million increase in the average annual turnover. Full Points are given in case of average annual Turnover Rs. 1000 million or above.
d)	Income tax return for the last three (3) years	02	<ul style="list-style-type: none"> No Point will be given if income tax return is not submitted. Full Points will be given in case of income tax return for the last three (3) years is submitted.
Total Points Allocated		35	

3.5.2 Experience

3.5.2.1 Experience for Projects Completed (Form A-2) will be evaluated on the basis of the following points:

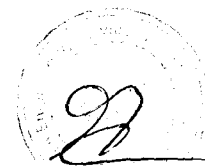
(Information regarding similar/ comparable projects completed is to be supported by documents such as Taking over/ Completion Certificate, Maintenance/ Defects Liability Certificate and any other relevant document)

Experience	Points
Projects of similar/ comparable nature executed during last ten (10) years.	
Rs. 300 million or above (One Project)	17.5
Rs. 300 million or above (Two Projects)	26.0
Rs. 300 million or above (Three Project)	35.0
Maximum Points	35

3.5.3 Personnel (Form A-5 & A-6) will be evaluated on the basis of following points:

Key Personnel	Points
i. Project Manager	5
ii. Site Engineer	4
iii. Material Specialist	3
iv. Surveyor	2
v. Quantity Surveyor	1
Maximum Points	15

(Information regarding educational qualification, total work experience and specific work experience is to be supported by documents such as copy of education qualification certificate/degree and CVs of concerned personal propose for the above position duly signed and any other relevant documents. Engineers should have valid PEC certificate).



Points for personnel will be given on the basis of the following criteria:

3.5.3.1 Project Manager (Form A-5 and A-6)
(must be a University Engineering Degree holder in Civil)

	Points
Master Degree (Engineering) in civil	1.00
Maximum Points	1.00
Total work Experience (years)	
More than 20	2.00
15 ⁺ -20	1.50
10 ⁺ -15	1.00
08 ⁺ -10	0.50
05 ⁺ -08	0.25
05 or less	0.00
Maximum Points	2.00
Specific Experience (years)	
More than 15	2.00
10 ⁺ -15	1.50
05 ⁺ -10	1.00
05 or less	0.00
Maximum Points	2.00
Maximum Points	5.00

3.5.3.2 Site Engineer (Form A-5 and A-6)
(must be a University Engineering Degree holder in Civil)

	Points
Total work Experience (years)	
More than 20	2.00
15 ⁺ -20	1.50
10 ⁺ -15	1.00
05 ⁺ -10	0.50
05 or less	0.00
Maximum Points	2.00
Specific Experience (years)	
More than 10	2.00
05 ⁺ -10	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	2.00
Maximum Points	4.00

3.5.3.3 Material Specialist (Form A-5 and A-6)
(must be diploma holder in Civil Engineering)

	Points
Total work Experience (years)	
More than 10	1.50
05 ⁺ -10	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	1.50
Specific Experience (years)	
More than 07	1.50
05 ⁺ -07	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	1.50
Maximum Points	3.00

3.5.3.4 Surveyor (Form A-5 and A-6)
(must be Diploma of Associate Engineer in Civil Engineering)

	Points
Specific Experience (years)	
More than 10	2.00
08 ⁺ -10	1.50
05 ⁺ -08	1.00
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	2.00

3.5.3.5 Quantity Surveyor (Form A-5 and A-6)
(must be a Diploma of Associate Engineer in Civil Engineering)

	Points
Total work Experience (years)	
More than 10	1.00
05 ⁺ -10	0.75
03 ⁺ -05	0.50
03 or less	0.00
Maximum Points	1.00

3.5.4 Equipment Capabilities (Form A-7)

The applicant should own, or have assured access to (through rented, lease, purchase agreement or other means), the following key equipment (limited to only major items of equipment) in full working order, and must demonstrate that, based on known commitments, these will be available for deployment on the proposed contract or works (Form A-7). The applicant may also list alternative equipment which he would propose for the contract together with an explanation of the alternate proposal.

Points will be given on the basis of the following criteria:

Equipment Type & Characteristics	Required (Nos.)	Points
1. Dump Trucks min 5m ³ cap	4	2
2. Loaders	2	1
3. Excavators	2	2
4. Transit Mixers	2	1
5. Grader	2	3
6. Rollers (Vibratory/ Tandem)	4	2
7. Pneumatic Tire Rollers	2	2
8. Water Bowser	4	2
Maximum Points		15

3.5.5 Litigation History (Form A-8)

The applicant should provide accurate information of all litigation or arbitration resulting from contracts completed or under execution. A history of more than two (02) awards against the applicant or any partner of a joint venture may result in rejection of the application.

4. Black Listing & Other Affidavits (Form A-9)

An affidavit/ Undertaking is to be provided that the applicant has never been black listed.

The applicant should also provide an undertaking/ affidavit on non-judicial **stamp paper** to the effect that all documents / particulars / information given with this Pre-qualification document are true.

The applicant should also provide an affidavit to the effect that the applicant has never indulged in corrupt, fraudulent or collusive practices for procuring contracts.

5. Joint Venture (JV)

Joint Venture (JV) must comply with the following requirements:-

- 5.1 They must collectively qualify the criteria given in clause 3 heretofore, for which purpose the relevant figures for each of the partners shall be added together to arrive at their total capacity.
- 5.2 Pre-qualification Document shall be signed by all members in the JV, so as to legally bind all partners, jointly and severally. The Pre-qualification document shall be submitted along with a copy of the JV agreement providing the joint and several liabilities with respect to the contract.
- 5.3 The Pre-qualification of a Joint Venture (JV) does not necessarily prequalify any of its partners individually or as a partner in any other Joint Venture (JV). In

case of dissolution of a Joint Venture (JV), each one of the constituent firms may pre-qualify if they meet all the prequalification requirements and any partner has requested/shall request for the same and then his pre-qualification shall be subject to the written approval of the Employer.

6. Conflict of Interest

The applicant (including all members of a Joint Venture (JV) must not be associated, nor have been associated in the past, with the consultant or any other entity that has prepared the design, specifications, and other post qualification and bidding documents for the project, or was proposed as Engineer for the contract. Any such association may result in disqualification of the applicant.

7. Updating Pre-qualification Information

Bidders shall be required to update the financial, personnel and equipment information used for prequalification at the time of submitting their bids , to confirm their continued compliance with the qualification criteria and verification of the information provided at the time of prequalification. A bid shall be rejected

8. Other Factors

8.1 Only firms and JVs that have been pre-qualified under this procedure shall be invited to bid. A qualified firm or a member of a qualified Joint Venture (JV), Consortium or Association may participate only in one bid for the contract. If a firm submits more than one bid, singly or as a Joint Venture (JV), Consortium or Association, all bids including that bidder will be rejected. This rule will not apply in respect of bids which include specialist sub-contractors who are used by more than one bidder.

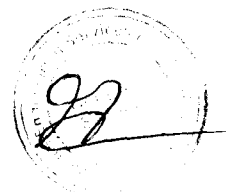
8.2 The Employer reserves the right to:-

8.2.1 Amend the scope and value of any contract(s) to be bid, in which event the bidder(s) will only bid among those pre-qualified bidders who meet the requirements of the contract(s) as amended. However the Employer has to review the disqualified bids who originally do not meet the specified criteria for Pre-qualification.

8.2.2 Reject or accept any or all applications without giving any explanation; and

8.2.3 Cancel the Pre-qualification process and reject all applications.

The Employer shall neither be liable for any such actions nor be under any obligation to inform the applicant of the grounds for rejection.



ANNEXURE-A



Annex-A

Letter of Application

[Letterhead paper of the Applicant, or partner responsible for a joint venture, including full postal address, telephone no., fax no., telex no., cable and e-mail address]

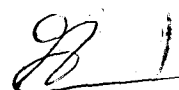
Date:.....

To: Project Director
BRT Orange Line Project
Transport & Mass Transit Department
Government of Sindh
6th Floor, East Annex, Civic Centre,
Gulshan-e-Iqbal
Karachi – 75300
Telephone: (021) 99230665
Fax: (021) 99231153

Sirs,

1. Being duly authorized to represent and act on behalf of..... (hereinafter "the Applicant"), and having reviewed and fully understood all the Pre-qualification information provided, the undersigned hereby apply to be pre-qualified as a bidder of the work for the **Bus Rapid Transit System (BRTS) "Orange Line" Infrastructure Development: Package II (From Bacha Khan Fly over at Banaras to Board Office, Karachi.**
2. Attached to this letter are copies of original documents defining¹:
 - (a) the Applicant's legal status;
 - (b) the principal place of business; and
 - (c) the place of incorporation (for applicants who are corporations); or the place of registration and the nationality of the owners (for applicants who are partnerships or individually-owned firms).

(1) For applications by joint ventures, all the information requested in the Pre-qualification documents is to be provided for each member/partner separately. All members/partners shall sign the letter.



3. Your Organization and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information, to provide such information deemed necessary and requested by yourselves or the authorized representative to verify statements and information provided in this application, or with regard to the resources, experience, and competence of the applicant.
4. Your Organization and its authorized representatives may contact the following persons for further information², if needed.

General and Managerial Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Personnel Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Technical Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

Financial Inquiries	
Contact 1	Telephone 1
Contact 2	Telephone 2

5. This application is made with the full understanding that:
- (a) bids by pre-qualified applicants will be subjected to verification of all information submitted for pre-qualification at the time of bidding;
 - (b) your Organization reserves the right to:
 - (i) amend the scope and value of any contract under this project; in such event bids will only be called from pre-qualified bidders who meet the revised requirements; and

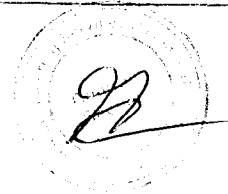
(2) Application by joint ventures should provide information on separate sheet for each party to the application.

- (ii) reject or accept any application, cancel the pre-qualification process, and reject applications; and
- (c) Your Organization shall not be liable for any such actions and its consequences and under no obligation to inform the applicant of the grounds for actions at 5(b) here above.

Applicants who are not joint ventures should delete para 6 & 7 and initial the deletions.

- 6. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, to the joint venture. We also specify the financial commitment in terms of the percentage of the value of the (each) contract, and the responsibilities for execution of the (each) contract.
- 7. We confirm that in the event that we bid, that bid as well as any resulting contract will be.
 - (a) signed so as to legally bind all partners, jointly and severally; and
 - (b) submitted with a Joint Venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.
- 8. We certify that the information provided in Pre-qualification document is correct and final to the best of our knowledge and nothing contained herein, is contrary to the facts as available with the firm's official record and that The Employer has complete right to disregard our application should it fail to meet any of their pre-qualification criteria.
- 9. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead/authorized partner/member of a joint venture)	For and on behalf of (name(s) of other authorized partner(s)/member(s) of a joint venture)



Integrity Pact

DECLARATION OF FEES, COMMISSIONS AND BROKERAGE ETC. PAYABLE BY THE SUPPLIERS/CONTRACTORS OF GOODS, SERVICES & WORKS

_____ [the Seller/Supplier/Contractor] hereby declares its intention not to obtain or induce the procurement of any contract, right, interest, privilege or other obligation or benefit from Government of Sindh (GoS) or any administrative subdivision or agency thereof or any other entity owned or controlled by it (GoS) through any corrupt business practice,

Without limiting the generality of the foregoing, [the Seller/Supplier/Contractor] represents and warrants that it has fully declared the brokerage, commission, fees etc. paid or payable to anyone and not given or agreed to give and shall not give or agree to give to anyone within or outside Pakistan either directly or indirectly through any natural or juridical person, including its affiliate, agent, associate, broker, consultant, director, promoter, shareholder, sponsor or subsidiary, any commission, gratification, bribe, finder's fee or kickback, whether described as consultation fee or otherwise, with the object of obtaining or including the procurement of a contract, right, interest, privilege or other obligation or benefit in whatsoever form from (GoS), except that which has been expressly declared pursuant hereto.

[The Seller/Supplier/Contractor] certifies that it has made and will make full disclosure of all agreements and arrangements with all persons in respect of or related to the transaction with (GoS) and has not taken any action or will not take any action to circumvent the above declaration, representation or warranty.

[The Seller/Supplier/Contractor] accepts full responsibility and strict liability for making any false declaration, not making full disclosures, misrepresenting facts or taking any action likely to defeat the purpose of this declaration, representation or warranty. It agrees that any contract, right, interest, privilege or other obligation or benefit obtained or procured as aforesaid shall, without prejudice to any other right and remedies available to (GoS) under any law, contract or other instrument, be avoidable at the option of (GoS).

Notwithstanding any rights and remedies exercised by (GoS) in this regard, [the Seller/Supplier/Contractor] agrees to indemnify (GoS) for any loss or damage incurred by it on account of its corrupt business practices and further pay compensation to (GoS) in an amount equivalent to ten times the sum of any commission, gratification, bribe, finder's fee or kickback given by [the Seller/Supplier/Contractor] as aforesaid for the purpose of obtaining or inducing the procurement of any contract, right, interest, privilege or other obligation or benefit in whatsoever form from (GoS).

Name of Employer.....

Name of Applicant.....

Signature.....

Signature.....

Seal

Seal

