FEASIBILITY STUDY AND TRANSACTION ADVISORY SERVICES FOR THE DEVELOPMENT OF DUAL CARRIAGEWAY PROJECTS FROM TANDO MUHAMMAD KHAN TO SUJAWAL, AND HYDERABAD TO TANDO GHULAM ALI UNDER PUBLIC-PRIVATE PARTNERSHIP MODE

RESPONSE DOCUMENT NO. III

31st August 2022

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Important Notice

The Responses to Prospective Bidders’ Queries Document (the ‘Response Document No. III’) is in furtherance to requests for queries/clarifications received from the prospective Bidders in respect of the Bidding Process relating to a feasibility study and transaction advisory services for the development of dual carriageway projects from Tando Muhammad Khan to Sujawal, and Hyderabad to Tando Ghulam Ali under public-private partnership modes (the ‘Assignment’), being conducted pursuant to the Request for Proposal Document (the ‘RFP Document’) dated 14th July 2022, and the Addendum to the Request for Proposal Document (the ‘Addendum Document No. I’) dated 02nd August 2022.

Unless expressly specified otherwise, all capitalized terms used herein shall bear the meaning ascribed thereto under either Sections II or VI – Instructions to Consultants and General Conditions of Contract of this RFP document.

This Response Document No. III is being circulated by Works & Services Department (the ‘Procuring Agency’), subsequent to its consultant selection committee’s review and/or approval, in pursuance of the Instructions to Consultant (ITC) Clause-10.1 of the RFP Document. Neither any of these entities nor their employees, personnel, or agents, make any representation (expressed or implied) or warranties as to the accuracy or completeness of the information contained herein or in any other document made available to a Person in connection with the Bidding Process for the Assignment and the same shall have no liability for this RFP Document or for any other written or oral communication transmitted to the recipient in the course of the recipient’s evaluation of the Proposals or Bids. Neither any of these entities nor their employees, personnel, agents, consultants, advisors and contractors etc. will be liable to reimburse or compensate the recipient for any costs, fees, damages or expenses incurred by the recipient in evaluating or acting upon the RFP Document or otherwise in connection with the Assignment as contemplated herein.

The Proposals or Bids submitted in response to the RFP Document by any of the Bidders shall be upon the full understanding and agreement of any and all terms of the RFP Document, the Addendum to the RFP Document, and the Response Documents (the ‘RFP Documents’) and such submission shall be deemed as an acceptance to all the terms and conditions stated in the RFP Documents. Any Bid submitted by a Bidder in response to the RFP Documents shall be construed based on the understanding that the Bidder has done a complete and careful examination of the RFP Documents, and has independently verified all the information received (whether written and verbal) from the Procuring Agency (including from its employees, personnel, agents, Consultants, advisors, and contractors, etc.).

This Response Document is not an agreement; its sole purpose is to provide interested Bidders with information that may be useful to them in preparing their Bids or Proposals. The Procuring Agency reserves its right, in its full discretion, to modify the RFP Documents and/or the Assignment at any time to the fullest extent permitted by law, and shall not be liable to reimburse or compensate the recipient for any costs, taxes, expenses or damages incurred by the recipient in such an event.
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<th>SR.</th>
<th>RFP REFERENCE</th>
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<td>1.</td>
<td>ITC BDS Clause 18.1 – Technical Evaluation Criteria (General Experience, and Relevant Experience – 1.2.1 and 1.2.2)</td>
<td>Any ongoing projects eligible for evaluation in these categories?</td>
<td>Please refer to the RFP Document’s page # 31, the relevant excerpt of which provides that ‘the Procuring Agency shall consider the Bidder’s experience to the extent of the contracts as directly awarded in its own or Bidder’s title (but not their staff or any parent or subsidiary company). Secondly, the claimed experience or contracts awarded (respective milestones) must be satisfactorily completed as endorsed or verified, if deemed mandatory, by the awarding agency’. For the sake of clarity, please note that if a project contains various milestones, like transaction preparation and implementation that further comprises conducting feasibility, preparing bidding package, etc., then in such a case, the project’s respective milestone, if completed and qualifying the RFP Documents requirements, will be considered for awarding the points.</td>
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<td>2.</td>
<td>ITC BDS Clause 18.1 – Technical Evaluation Criteria</td>
<td>As we all understand that completion certificates are hard to obtain, especially from Government Clients, would scanned contract agreements suffice the evidence requirements of project experience (completed &amp; ongoing)?</td>
<td>Please refer to the RFP Document’s page # 32, the relevant excerpt of which provides that ‘Bidder (individual firm or Consortium) must enclose, along with the Technical Proposal, copies of the work orders and contract agreements with completion certificates or any</td>
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other substantial evidence relating to it suffice to prove the completion of claimed milestones'.

Please read all the instructions carefully relating to the submission of the documents as mentioned on pages # 32 & 33 onward in the RFP Document.

| 3. | ITC BDS Clauses 18.1, 13.1, 6.1 & 2.2 – Eligibility Criteria (Mandatory Documents) | Bidder (individual firm or Consortium) must enclose, along with the Technical Proposal, copies of the following documents including but not limited to (refer to the Eligibility and Technical Evaluation Criteria for further details):

   vi. Integrity Pact (Appendix-A)

   Is this document required by all JV members or from the Lead firm? Is it required on plain paper or on Stamp Paper of specific value?

Bidder (in case of a Consortium, each member) must submit a copy of the integrity pact (in the form and substance provided in the RFP Document) on a non-judicial stamp paper or respective company’s letterhead duly signed and stamped by the Bidder’s authorized representative along with the submitted Bid (Technical Proposal) in terms of the ITC Clause-5 of the RFP Document.

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| 4. | Form Tech 2 – Consultant’s Organization and Experience (A. Consultant’s Organization) | [Provide here a brief (preferably not more than five pages) description of the background and organization of your firm/ entity and each associate for this Assignment.]

   Is this for each JV members to submit a brief profile of up to 5 pages each, or these five pages limit is for the whole JV?

Bidder (in case of a Consortium, each member) must submit a copy of its company profile, preferably not more than five (5) pages, describing nature of business and field of experience along with the submitted Bid (Technical Proposal) in terms of the ITC Clause-5 of the RFP Document.