

Bidding Documents - Terms & Conditions

1. Tender / Bidding documents containing Invitation to the bid/Tender Notice, Instructions to bidders, Form of Bid, Conditions of Contract Agreement, Specifications, Bill of Quantities and Bid evaluation criteria can be obtained on any working day during office hours from the office of Cantonment Board Peshawar at 5 - Jalil Road, Peshawar Cantonment on or before closing date/time of tender bid. Price of the bidding documents is Rs 500/- (non-refundable). Tender / bidding documents can also be downloaded from CBP website www.cbp.gov.pk
2. 2% (two percent) earnest money /bid security of estimated cost must be accompanied in the shape of Call deposit in the name of **Cantonment Board Peshawar**, from Scheduled banks in accordance with the Rule 25 of PPRA Rules,2004 and subsequent amendments (if any). An Affidavit to the affect stating that 2% bid security / earnest money has been placed in financial proposals / bids must be attached in the technical proposals. Any bid security not validated from bank can result into penal consequences.
 - 2.1. The Bid Security may be forfeited:
 - 2.1 If the bidder withdraws his bid
 - 2.1 If the bidder does not accept the correction of his Bid Price pursuant to condition 2.2 hereof; or
 - 2.1 In the case of successful bidder, if he fails within the specified time limit to:
 - 2.1.3.1. Furnish the required Performance Security;
 - 2.1.3.2. Sign the Contract Agreement, or
 - 2.1.3.3. Furnish the required JV agreement within 7 days of the receipt of letter of acceptance.
 - 2.2. Bids determined to be substantially responsive will be checked by the Employer for any arithmetic errors. Errors will be corrected by the Employer as follows:
 - 2.2 Where there is a discrepancy between the amounts in figures and in words, the amount in words will govern; and
 - 2.2 Where there is a discrepancy between the unit rate and the line item total resulting from multiplying the unit rate by the quantity, the unit rate as quoted will govern, unless in the opinion of the Employer there is an obviously gross misplacement of the decimal point in the unit rate, in which case the line item total as quoted will govern and the unit rate will be corrected.
 - 2.2 The amount stated in the Letter of Price Bid will be adjusted by the Employer in accordance with the above procedure for the correction of errors and with the concurrence of the bidder, shall be considered as binding upon the bidder. If the bidder does not accept the corrected Bid Price, his Bid will be rejected, and the Bid Security shall be forfeited in accordance with condition 2.1.2 (b) hereof.

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3. The submission of Bids by the contractors implies that they are fully conversant with the, scope of work and term and conditions laid down in the tender / bid's documents. The bidders are advised to visit and examine the Site of Works and its surroundings and obtain for themselves on their own responsibility all information that may be necessary for preparing the bid and entering into a contract for construction of the Works. All cost in this respect shall be at the bidder's own expense.
4. The eligible contractors / firms are required to submit their Bids for work in separate sealed envelopes i.e. one envelope containing "**Technical Proposal**" of the contractors / firms, clearly marked as "**Technical Bid**" accompanied with respective bidding document fee, while the second envelope containing financial proposal / bid price, clearly marked as "**Financial Proposal**". Both Technical and Financial proposals / bids will be placed in single sealed envelope duly addressed and send to Office of the Cantonment Board Peshawar at 5 – Jalil Road, Peshawar Cantonment within due date & time of closing of tender box.
5. Technical proposal must be numbered & table of contents inserted at beginning of the proposal showing the table of contents of the proposal according to the numbered pages. All pages of Bids shall be signed & stamped by the bidder and seal be affixed along with the signatures / initials/ Stamp.
6. Contractor / Bidder black listed by Cantonment Board Peshawar or involved in litigation or found to be indulged in corrupt or fraudulent practices at any stage of procurement will be considered non responsive by Cantonment Board Peshawar being procuring entity.
7. The "**Technical Proposals / Bids**" of the firms / contractors will be evaluated in accordance with laid down evaluation criteria based on the following documents to be provided in the bidding documents meant for submission of Technical Proposal: -
 - 7.1. Detail of projects of similar nature related to the above mentioned work undertaken by the firm in the last 5 years (in hand/ completed) supported by documentary evidence such as work orders / completion reports in original or attested copies.
 - 7.2. Financial status, Bank balance & certificate from the scheduled bank for the last 5 years.
 - 7.3. The Income Tax Certificate from the concerned department. Showing Tax payment regarding works / projects executed during last 5 years.
 - 7.4. Details of technical staff for the proposed works, duly supported by attested credentials.
 - 7.5. An affidavit that the firm is neither blacklisted nor in dispute / litigation / arbitration with any Govt. / semi Govt. Department on the left over/ incomplete projects.
 - 7.6. An affidavit is required to be provided with the technical bid regarding attachment of the bid security in the shape of Bank Guarantee or call deposit with the financial bid.
 - 7.7. The firms / contractors should have their own machinery / plant relating to the project. The list of machinery shall be provided on non-judicial stamp paper alongwith relevant documents.
 - 7.8. Only those will be eligible to apply for the tender who have renewed their enlistment with PEC for the year 2023-24.

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- 7.9. Incomplete Tender forms will be considered as Non responsive i.e. name of Firm, Quoted rates in words and in figures, signatures of the contractor and stamp of the firm.
- 7.10. Any bid not accompanied by an acceptable Bid Security shall be rejected by the Employer as non-responsive.
8. Only upto two decimal digits (0.00) will be considered for evaluation of the quoted Rate. If any document submitted along with bid documents found false / bogus, the registration of the contractor / firm shall stand cancelled / blacklisted in the light of enabling provisions of PPRA Rules 2004. Conditional / Incomplete bids shall not be acceptable.
9. The **Financial Bids / Proposals** of only technically responsive qualified bidders will be opened after evaluation of **Technical Bids** in the presence of bidders / their representatives (who may like to attend) in the office of the Cantonment Board Peshawar on the date & time to be notified later on whereas the **Financial Bids** of technically non responsive bidders shall be returned unopened to the respective contactors on date and time intimated to them accordingly.
10. In case of lowest tendered rate is less than At Par MES Schedule of Rates 2021, the lowest bidder shall have to deposit standing security in shape of performance guarantee in form of Deposit at Call (refundable after successful completion of the work) @ 10% of the estimated cost under rule 39 of PPRA Rules, 2004 within 07 days, failing which the already deposited 2% earnest money shall be forfeited and the tender will be cancelled / re-invited.
11. Any Item not reflected in the BOQ and required at site, shall be paid in accordance with MES Schedule of rates 2021/prevailing market rates with the approval of the procuring entity / Competent Authority.
12. All the governments taxes (Federal, Provincial & any other) will be deducted as per prevailing government policy.
13. Incomplete / disfiguring / overwriting / by hand / delayed bids shall be declared non-responsive.
14. Any bid received in the contravention of enabling provisions of PPRA Rules, 2004 will be declared non responsive by the procuring entity. Cantonment Board Peshawar being procuring entity reserves the right to accept or reject any tender / bid on technical / administrative grounds under Rule 33 (l) of the PPRA Rules, 2004.
15. Successful bidder shall be bound to execute an agreement with the procuring entity
 - 15.1. The formal Agreement between the Employer and the successful bidder shall be executed within 14 days of the receipt of the Contract Agreement by the successful bidder from the Employer and all terms and conditions including tender notice shall be binding on the bidder.

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16. Bid validity period will be 180 days from the date of submission of bid.
- 16.1 In exceptional circumstances, prior to expiry of the original bid validity period, the Employer/ Cantonment Board Peshawar/ Procuring Agency may request that the bidders extend the period of validity for a specified additional period which shall in no case be more than the original bid validity period. The request and the responses thereto shall be made in writing. A bidder may refuse the request without forfeiting his Bid Security. A bidder agreeing to the request will not be required or permitted to modify his bid, but will be required to extend the validity of his Bid Security for the period of the extension, and in compliance with condition 2.1 in all respects.
17. Other terms & conditions pertaining to the works can be seen in the Office of the Cantonment Board Peshawar at any working day during office hours.
18. As per PPRA Rule 33, the procuring agency may reject all bids or proposals at any time prior to the acceptance of a bid or proposal. The procuring agency shall upon request communicate to any supplier or contractor who submitted a bid or proposal, the grounds for its rejection of all bids or proposals, but is not required to justify those grounds.

Evaluation Criteria

Technical Evaluation Criteria

General Experience

Sr. No.	Description	Marks Assigned	Explanation for Marks Obtained
a)	Projects of similar nature and complexity Completed in last ten years. No Marks are awarded for works less than specified limits.	15	<ul style="list-style-type: none"> 12 Marks are given if the contractor has completed at least 3 projects of similar nature in last ten years. For less than 3 projects completed use the following weightage. $12 \times (A/3)$ For more than 3 projects but less than 6 projects completed use the following weightage. $12 + (A/6) \times 3$ <p>A = No of projects of similar nature Completed in last ten years</p> <ul style="list-style-type: none"> Full Marks are given in case of 6 projects or more.
b)	Projects of similar nature and complexity in-hand during last ten years. No Marks are awarded for works less than specified limits.	10	<ul style="list-style-type: none"> 8 Marks are given if the contractor has 3 projects of similar nature in-hand. For less than 3 projects in-hand use the following weightage. $8 \times (A/3)$ For more than 3 projects but less than 6 projects in-hand use the following weightage. $8 + (A/6) \times 2$ <p>A = No of projects of similar nature In-hand during last ten years</p> <ul style="list-style-type: none"> Full Marks are given in case of 6 projects or more.
c)	Electrical works carried out during last five years.	5	<ul style="list-style-type: none"> 4 Marks are given if the contractor has completed at least 3 projects of similar nature in last five years. For less than 3 projects completed use the following weight age. $4 \times (A/3)$

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Sr. No.	Description	Marks Assigned	Explanation for Marks Obtained
			<ul style="list-style-type: none"> For more than 3 projects but less than 6 projects completed use the following weightage. $4 + (A/6) \times 1$ A = No of projects of similar nature completed in last five years Full Marks are given in case of 6 projects or more.
d)	Enlistment record with Government Organizations & other agencies	5	<ul style="list-style-type: none"> 1 Mark for each enlistment up to maximum of five enlistments.
Total Marks Allocated			35

Personnel Capabilities

Requirement of Employer/User will be varied from Project to Project. However following factors may be used as a guideline:

Sr. No.	Description	Marks Assigned	Explanation for Marks Obtained
i)	B.Sc Engineers registered with Pakistan Engineering Council (PEC)	9	<p><u>Experience (3-Marks) :</u></p> <ul style="list-style-type: none"> 3 Marks will be given if the individual experience of at least 4 no. of B.Sc Engineers (professional) is equal to 15 years or above. For less than 4 no of B.Sc Engineers having individual experience of 15 years, marks will be given as per following formulas: $= (A/4) * 3$ A = No. of Engineers having individual experience of 15 years or above. <p><u>Strength of Engineers (6 Marks)</u></p> <ul style="list-style-type: none"> 6 Marks will be given if the total no. of Engineers registered with PEC are 15 nos. or above. For less than 15 no of B.Sc Engineers registered with PEC marks will be given as per following formulas: $= (A/15) * 6$ A = No. of Engineers

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ii)	Associates Engineers (DAE)	6	<p><u>Experience (2-Marks) :</u></p> <ul style="list-style-type: none"> 2 Marks will be given if the individual experience of at least 8 no. of Associates Engineers (DAE) is equal to 10 years or above. For less than 8 no of Associates Engineers (DAE) having individual experience of 10 years, marks will be given as per following formulas: $= (A/8) * 2$ A = No. of DAE Engineers. <p><u>Strength of Associate Engineers (4 Marks)</u></p> <ul style="list-style-type: none"> 4 Marks will be given if the total no. of Associate Engineers (DAE) are 20 nos. or above. For less than 20 no of Associate Engineers marks will be given as per following formulas: $= (A/20) * 4$ A = No. of Associate Engineers
Total Marks Allocated			15

Equipment Capability

Sr. No.	Description	Marks Assigned	Explanation for Marks Obtained
1	Batching Plant (30 cuM/hr Cap.) / Asphalt Plant	10	<ul style="list-style-type: none"> 8 Marks for each equipment are given if the Contractor meets the minimum requirements given in the prequalification document for each item. If the available quantity of each equipment is less than specified limit give weightage as. $8 \times (A / \text{Required Quantity})$ If the available quantity of each equipment is more than the minimum equipment requirement full marks will be given.
2	Concrete Pump	10	
3	Crane Mobile (30 Ton Cap.)	10	
4	Crane Tower (30 M Boom)	10	
5	Dumper Trucks	10	
6	Shower/ Loader/ Backhoe	10	
7	Steel cutting & Bending Machine	10	
8	Concrete Transit Mixer (6 cuM/hr)	10	

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9	Cabin Hoist (1500 Kg Cap.)	10	<p>A = Available quantity of each equipment of each Item.</p> <p>• Total Marks = (Marks Obtained/120) * 20</p>
10	Air Compressor (15 HP Cap.)	10	
11	Form Work	10	
12	Scaffolding Pipe	10	
Total Marks Allocated			20

Financial Soundness

Sr. No.	Description	Marks Assigned	Criteria for Marks Obtained
a)	Available Bank Credit Line	5	<ul style="list-style-type: none"> 3 Marks are given if the available bank credit line limit is equal to 500 Million. For limit less than 500 Million, use following weightage $3 \times (A/500)$ For the limit more than 500 million but less than 1000 million use following weightage $3 + (A/1000) \times 2$ <p>A= Available Bank Credit Line Limit</p> <ul style="list-style-type: none"> Full Marks are given in case of limit is 1000 million or more.
b)	Working Capital in last 3 years	5	<ul style="list-style-type: none"> 3 Marks are given if the available average working capital for last three years is equal to 500 Million. For the capital less than 500 million use following weightage $3 \times (A/500)$ For the capital more than 500 million but less than 1000 million use following weightage $3 + (500/A) \times 2$ <p>A= Average working capital in last three years.</p> <ul style="list-style-type: none"> Full Marks are given in case of limit is 1000 million or more.
c)	Registration with income tax department	5	<ul style="list-style-type: none"> No points will be given if income tax certificate is not attached and 5 points will be added in case of valid certificate.

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d)	Copy of Valid electrical license	5	• No points will be given if license is not attached and 5 points will be added in case of valid license.
e)	Litigation History in which Decision has been given against the firm(s)	5	• In case the firm is involved in any litigation, no marks will be given and 5 points will be added in case affidavit of no litigation is attached.
f)	Blacklisting from any agency	5	• In case the firm is blacklisted, no Marks will be given and 5 points will be added in case affidavit by the company that it has not been black listed is attached.
Total Marks Allocated		30	

Qualification Criteria

General

Bid Evaluation will be based on the criteria given in succeeding paras regarding the Applicant's Financial Soundness, Experience Record, Personnel Capabilities, Equipment Capabilities and Financial Bid as demonstrated by the Applicant's responses in the forms attached to this letter. Cantt Board Peshawar reserves the right to waive minor deviations, if these don't materially affect the capability of an applicant to perform the contract. Sub-contractor's experience and resources shall not be taken into account in determining the Applicant's compliance with the qualifying criteria.

Technical Evaluation Criteria

Sr. No.	Category	Weightage/Marks
1.	Financial Soundness	30
2.	Experience Record	35
3.	Personnel Capabilities	15
4.	Equipment Capabilities	20
	Total:	100

Note: *Technical Qualification status shall be decided on the basis of Pass/Fail basis. The applicant must secure at least 50% score overall in technical bid.*

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Financial Bid Criteria

The further detailed criteria for each category (technical) may be developed as given under the each head as follows:

Highest marks will be given to lowest bided cost (30%), whereas, for the rest of the relative score will be allocated.

General Experience

Credit Marks for experience shall be awarded on the basis of following qualifications:

Sr.No.	Description	Maximum Points
i)	Projects of similar nature and complexity completed over latest 10 years.	15
ii)	Projects of similar nature and complexity in hand.	10
iii)	Experience of Works) related to project but not basic part.	5
iv)	Status of enlistment with Government Organizations and other agencies.	5
	Sub-total:	35

Personnel Capabilities

Credit Marks shall be awarded under this category using the following criteria:

Sr.No.	Description	Maximum Points
i)	Graduate Engineers Registered with PEC	
	a) Number of Engineers	6
	b) Experience of Engineers in number of years	3
ii)	Number of Diploma Engineers in Employment of the Firm	
	a) Number of Engineers	4
	b) Experience of Engineers in number of Years.	2
	Sub-total:	15

Equipment Capabilities

Credit Marks shall be granted on the basis of the following criteria for various kinds of equipment relevant for the Project:

Sr.No.	Equipment Type and Characteristics	Maximum Marks
1.	List relevant equipment and Assign Marks	
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
	Sub-total:	20

Financial Position

Credit Marks shall be awarded on the basis of the following criteria:

Sr.No.	Description	Maximum Marks
i)	Available Bank Credit Line	5
ii)	Working Capital in last 3 years.	5
iii)	Registration with Income Tax Department	5
iv)	Litigation History where decision went against the Firm.	5
v)	Blacklisting from any Agency	5
vi)	Valid Licence for other related items of Work	5
	Sub-total:	30

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SPECIAL STIPULATIONS

Clause Conditions of Contract

1.	Law applicable	The law to be applied is the Cantonments Act, 1924 (II of 1924), Pakistan Cantt Accounts Code 1955 and PPRA Rules, 2004 (as amended upto-date)
2.	Amount of Performance Security (In case of lowest tendered rate is less than At Par MES SOR 2021)	10% of Contract Price stated in the Letter of Acceptance in the form of Deposit at Call from any schedule Bank of Pakistan.
3.	Time for Furnishing Programme	Within Fourteen (07) days from the date of receipt of Letter of Acceptance.
4.	Time for Commencement	Within 07 days from the date of receipt of CBP Notice to Commence which shall be issued within 07 days after signing of Contract Agreement.
5.	Time for Completion	As per work order
6.	Amount of Liquidated Damages	One tenth of one percent (0.10%) for each day of delay in completion of the Works subject to a maximum of 10% of Contract Price stated in the Letter of Acceptance.
7.	Defects Liability Period	365 Days from the effective date of completion
8.	Percentage of Retention Money	10 % of the amount of Interim Payment Certificate.
9.	Limit of Retention Money	5 % of Contract Price stated in the Letter of Acceptance.
10.	Water Supply and Electricity	All arrangements for water supply and Electricity during execution of works shall be made by the Contractor at his own cost. All charges shall be deemed included in the bid price of the contractor.
11.	Water Charges	The contractor shall have to be pay 0.35% royalty (water charges) for the water drawn from underground aquifer of the site, which shall be deducted from each IPC.

Authorized Signature and Office Seal: _____

Name: _____

Date: _____