

PRE-QUALIFICATION DOCUMENT

For

**Construction of Swat Expressway (Phase-II)
From Chakdara to Fatehpur
(80 Kilometer)
Through Public Private Partnership (PPP)**

Issued to: _____

Issued on: _____



PAKHTUNKHWA HIGHWAYS AUTHORITY

PROJECT DIRECTOR

Project Directorate Provincial Expressways
3rd Floor KP Bar Council Building, Khyber Road,
Peshawar, Pakistan

Phone: +92-91-9213927 / 9212291 / 9213522

Email: sewkp@gmail.com, Website: pkha.gov.pk

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PART - 1

Pre-qualification Procedures

Section I: Instructions to Applicants

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Section I: Instructions to Applicants

A. General

1. **Scope of Application** 1.1 In connection with the Expression of Interest for Pre-qualification published in the press and uploaded on Pakhtunkhwa Highways Authority (**PKHA**) website, the Employer, as defined in the Prequalification Data Sheet (**PDS**), issues this Pre-Qualification Document (**PQD**) to applicants interested in bidding for the project described in Part II of this document. The name of Project is provided in the **PDS**.
2. **Source of Funds** 2.1 The source of funds is elaborated in **PDS**.
3. **Fraud and Corruption** 3.1 The Employer requires that Applicants, Bidders, Suppliers, Contractors and Consultants under this PQD, to observe the highest standard of ethics during and while being part of the procurement process and in submission of their respective pre-qualification document to PKHAs. In pursuit of this policy, the Employer:
 - (a) Defines, for the purposes of this provision, the terms set forth as under:
 - (i) “corrupt practice” means the promising, offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public official, engaged directly or indirectly, in the procurement process in relation to this pre-qualification process;
 - (ii) “fraudulent practice” means a mis-representation, misstatement, concealment or omission of facts in order to influence a procurement process either to be pre-qualified or contrive a plan with or without the knowledge of public official to exclude the competition among the interested parties;
 - (iii) “collusive practice” means a scheme or arrangement or formation of any cartel between two or more bidders, with or without the knowledge of the Employer, designed to establish bid prices at artificial, noncompetitive levels; and
 - (iv) “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the procurement process to exclude the competition;
 - (b) will reject a proposal for award if it determines that the Bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for and obtaining the status of pre-qualified bidder for the Project;
 - (c) will sanction a firm or individual, including declaring them ineligible, either indefinitely or for a stated period of time, to be awarded a contract if it at any time determines that they have, directly or through an agent, engaged, in corrupt, fraudulent, collusive or coercive practices in competing for,

pre-qualification ; and will have the right to require that a provision be included in Bidding Documents and requiring bidders, suppliers, contractors and consultants to permit the Employer to inspect their accounts and records and other documents relating to the bid submission and past performance and to have them audited by auditors appointed by the Employer.

4. Eligible Applicants

- 4.1 An Applicant shall be a private party (firm) or any combination of private parties (firms) in the form of association(s), consortium, Joint Venture (JV) with the formal intent as evidenced by a Consortium/JV agreement or Letter of Intent, subject to **PDS** (ITA 4.2) and Section III.
- 4.2 An Applicant and all parties constituting the Applicant shall meet the eligibility criteria as mentioned in **PDS** (ITA 4.2) and Section III.
- 4.3 Applicants and all parties constituting the Applicant shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest, if they participated as a consultant in the preparation of the design or technical specifications of the works that are the subject of this prequalification. Where a firm, or a firm from the same economic or financial group, in addition to consulting, also has the capability to manufacture or supply goods or to construct works, that firm, or a firm from the same economic or financial group, cannot normally be a supplier of goods or works, if it provided consulting services for the contract corresponding to this prequalification, unless it can be demonstrated that there is not a significant degree of common ownership, influence or control.
- 4.4 An Applicant shall submit only one application in the same Prequalification process, either individually as an Applicant or as a partner of a joint venture. An Applicant, who submits or participates, in more than one application will cause all the applications in which the Applicant has participated to be disqualified.
- 4.5 Applicants shall not be under execution of a Bid Securing Declaration.
- 4.6 Applicants and all parties constituting the Applicant shall provide such evidence of their continued eligibility satisfactory to the Employer, as the Employer shall reasonably request.
- 4.7 In case of JVs or consortiums, one of the partners who is responsible for performing a key function in contract management or is executing a major component of the proposed contract shall be nominated as being in charge during the Pre-qualification and bidding periods and in the event of a successful bid, during contract execution. The partner in charge shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture or consortiums; this authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the partners.

B. Contents of the Prequalification Document

- 5. Sections of Prequalification Document**
- 5.1 The document for the prequalification of Applicants (hereinafter – “Prequalification Document”) consists of parts 1 and 2 which comprise all the sections indicated below, and should be read in conjunction with any Addendum issued in accordance with ITA 7.
- PART 1 Prequalification Procedures
- Section I. Instructions to Applicants (ITA)
 - Section II. Prequalification Data Sheet (PDS)
 - Section III. Qualification Criteria and Requirements
 - Section IV. Application Forms
- PART 2 Works Requirements
- Section V. Project Description
- 5.2 The “Expression of Interest for Prequalification” issued by the Employer is not part of the prequalification document.
- 5.3 The Employer accepts no responsibility for the completeness of the prequalification document and its addenda unless they were obtained directly from the Employer.
- 5.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish all information or documentation required by the Prequalification Document.
- 6. Clarification of Prequalification Document**
- 6.1 A prospective Applicant requiring any clarification of the Prequalification Document shall contact the Employer in writing at the Employer’s address indicated in the PDS. The Employer will respond in writing to any request for clarification provided that such request is received no later than five (05) days prior to the deadline for submission of applications. The Employer shall forward copies of its response to all applicants who have acquired the Prequalification Document directly from the Employer including a description of the inquiry but without identifying its source. At the same time the Employer shall upload the response on its official website. Should the Employer deem it necessary to amend the Prequalification Document as a result of a clarification, it shall do so following the procedure under ITA 7 and in accordance with the provisions of ITA 16.2.
- 7. Amendment of Prequalification Document**
- 7.1 At any time prior to the deadline for submission of applications, the Employer may amend the Prequalification Document by issuing addenda.
- 7.2 Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the prequalification document from the Employer.

C. Preparation of Applications

- 8. Cost of Applications**
- 8.1 The Applicant shall bear all costs associated with the preparation and submission of its application. The Employer will in no case be responsible or liable for those costs, regardless of the conduct or

outcome of the prequalification process.

- 9. Language of Application**
- 9.1 The application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Employer, shall be written in the language specified in the **PDS**. Supporting documents and printed literature that are part of the application shall also be in the same language.
- 10. Documents Comprising the Application**
- 10.1 The application shall comprise the following:
- (a) Application Submission Form, in accordance with ITA 11;
 - (b) documentary evidence establishing the Applicant's eligibility to pre-qualify, in accordance with ITA 12;
 - (c) documentary evidence establishing the Applicant's qualifications, in accordance with ITA 13; and
 - (d) Any other document required as specified in the **PDS**.
- 11. Application Submission Form**
- 11.1 The Applicant shall prepare an Application Submission Sheet using the form furnished in Section IV, Application Forms. This Form must be completed without any alteration to its format.
- 12. Documents Establishing the Eligibility of the Applicant**
- 12.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Form and Form EL 1.1, included in Section IV, Application Forms.
- 13. Documents Establishing the Qualifications of the Applicant**
- 13.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV, Application Forms.
- 14. Signing of the Application and Number of Copies**
- 14.1 The Applicant shall prepare one original of the documents comprising the application as described in ITA 10 and clearly mark it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.
- 14.2 The Applicant shall submit copies of the signed original application, in the number specified in the **PDS**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

- 15. Sealing and Identification of Applications**
- 15.1 The Applicant shall enclose the original and the copies of the application in a sealed envelope that shall:
- (a) bear the name and address of the Applicant;
 - (b) be addressed to the Employer, in accordance with ITA 16.1; and
 - (c) Bear the specific identification of this pre-qualification process indicated in the **PDS 1.1**.
- 15.2 The Employer will accept no responsibility for not processing any envelope that was not identified as required.

- 16. Deadline for Submission of Applications**
- 16.1 Applications shall be received by the Employer at the address and no later than the deadline indicated in the **PDS**. A receipt will be given for all applications submitted. Applicants may always submit their applications by mail or by hand, when so specified in the **PDS**. Applicants shall also submit an electronic copy of their applications if specified in **PDS**.
- 16.2 The Employer may, at its discretion, extend the deadline for the submission of applications by amending the Prequalification Document in accordance with ITA 7, in which case all rights and obligations of the Employer and the Applicants, subject to the previous deadline, shall thereafter be subject to the deadline as extended.
- 17. Late Applications**
- 17.1 The Employer shall not accept the application after the deadline for submission of applications prescribed in ITA 16.
- 18. Opening of Applications**
- 18.1 Employer shall open the applications and shall prepare a record of the opening of applications that shall include, as a minimum, the name of the Applicant.

E. Procedures for Evaluation of Applications

- 19. Confidentiality**
- 19.1 Information relating to the evaluation of applications, and recommendation for pre-qualification, shall not be disclosed to Applicants or any other persons not officially concerned with such process until the notification of results of pre-qualification is made to all Applicants.
- 19.2 From the deadline for submission of applications to the time of notification of the results of the prequalification in accordance with ITA 26, any Applicant that wishes to contact the Employer on any matter related to the prequalification process, may do so but only in writing.
- 20. Clarification of Applications**
- 20.1 To assist in the evaluation of applications, the Employer may, at its discretion, ask any Applicant for a clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.
- 20.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Employer's request for clarification, its application may be rejected.
- 21. Responsiveness of Applications**
- 21.1 The Employer may reject any application which is not responsive to the requirements of the Prequalification Document. Further, the Applicant shall not be awarded any opportunity to make his non-responsive application responsive in any case whatsoever.
- 22. Subcontractors**
- 22.1 Applicants planning to subcontract any of the key activities, shall specify the activity (ies) or parts of the works to be subcontracted in the Application Submission Form. Applicants shall clearly identify the proposed specialist subcontractors in Form BS-2.1 in Section IV. Such proposed specialist subcontractor(s) shall meet the corresponding requirements as per international best practice.
- 22.2 At this time, the Employer does not intend to execute certain specific parts of the Works by subcontractors selected in advance by the Employer (Nominated Subcontractors) unless otherwise stated in the **PDS**.

F. Evaluation of Applications and Prequalification of Applicants

- 23. Evaluation of Applications**
- 23.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements to evaluate the qualifications of the Applicants. The use of other methods, criteria, or requirements shall not be permitted. The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform and execute the intended Project. In case minor deviations are found in more than one applications of the Applicants, all will be treated equally.
- 23.2 The Employer shall also evaluate the performance of the applicant against its completed and ongoing project(s) with the recommendations of construction wing PKHA. PKHA may disqualify the Applicants to whom a slow progress notice has been issued.
- 23.3 Only the qualifications of subcontractors that have been identified in the application may be considered in the evaluation of an Applicant. However, the general experience and financial resources of subcontractors may not be added to those of the Applicant for purposes of prequalification of the Applicant.
- 23.4 In case of multiple contracts, the Employer shall pre-qualify each Applicant for the maximum number and types of contracts for which the Applicant meets the appropriate aggregate requirements of such contracts, as specified in Section III, Qualification Criteria and Requirements.
- 24. Employer's Right to Accept or Reject Applications**
- 24.1 The Employer reserves the right to accept or reject any application, and to annul the prequalification process and reject all applications at any time, without thereby incurring any liability to Applicants.
- 25. Prequalification of Applicants**
- 25.1 All Applicants whose applications have met or exceeded ("passed") the specified threshold requirements, to the exclusion of all others, will be pre-qualified by the Employer.
- 26. Notification of Prequalification**
- 26.1 Once the Employer has completed the evaluation of the applications it shall notify all Applicants in writing of the result of their prequalification application.
- 27. Invitation to Bid**
- 27.1 Promptly after the notification of the results of the prequalification the Employer shall invite bids from all the Applicants that have been pre-qualified through competitive process initiated separately.
- 27.2 Bidders may be required to provide a Bid Security acceptable to the Employer in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Documents.
- 28. Changes in Qualifications of Applicants**
- 28.1 Any change in the structure or formation of an Applicant after being pre-qualified in accordance with ITA 25 and invited to bid shall be subject to a written approval of the Employer prior to the deadline for submission of bids. Such approval shall be denied if the lead member is being changed, or as a consequence of the

change the Applicant no longer substantially meets the qualification criteria set forth in Section III, Qualification Criteria and Requirements, or if in the opinion of the Employer, a substantial reduction in competition may result. Any such changes shall be submitted to the Employer with proper justification as to why the change is inevitable, not later than seven (07) days after the date of the Invitation for Bids.

Section II: Prequalification Data Sheet (**PDS**)

A. General

ITA 1.1 Scope Of Application	The Employer is Managing Director Pakhtunkhwa Highways Authority <u>Peshawar, Pakistan</u> Phone: +92-91-9213927 / 9212291 / 9213522 Email: sewkpk@gmail.com
ITA 1.1 Scope Of Application	Construction of Swat Motorway (Phase-II) From Chakdara to Fatehpur, 80 Kilometer , 4-lane divided (extendable to 6-lane in future), controlled access, IT enabled modern motorway – Phase II of Swat Motorway, under Public Private Partnership (PPP). The project is described in Section-V.
ITA 2.1 Source of Funds	<ul style="list-style-type: none"> • Cost of the Project land shall be borne by PKHA/Government of KPK. • The funds for the project construction shall be arranged by the successful bidder through mix of equity and commercial debt. • PKHA/Government of KPK may provide other support to be detailed in the Request for Proposal (RFP).
ITA 4.1 Eligible Applicants	<p>The Applicants are required to provide the details of their proposed organization structure in Form BS-2.1. The role shall be clearly defined to cover all the elements of the Project including but not limited to: design, financing and construction to be undertaken by the respective entities of the Applicant.</p> <p>The Applicant in its proposed organization structure shall clearly indicate:</p> <ul style="list-style-type: none"> • The sponsor(s) / equity holder(s) with their respective equity share in percentage terms. The share holder having majority shares shall be designated as the lead member. • The organization structure shall define the constructor(s) of the Project with individual construction shares. • The Applicants having foreign origin shall not be non-eligible entities unless declared by the laws of Pakistan.
ITA 4.2 Eligible Applicants	<p>The eligibility of an Applicant and all parties constituting the Applicant shall be assessed on the following parameters as particularly detailed in Section III.</p> <ul style="list-style-type: none"> • Registration with Tax Authorities • Registration with Pakistan Engineering Council (PEC) • Non-Blacklisting • Litigation
ITA 4.7 Eligible Applicants	The partner in charge of the JV/consortium who is responsible for performing a key function in contract management or is executing a major component of the proposed contract shall be clearly nominated in Form BS-2.1 and Power of Attorney to that effect shall be submitted.

B. Contents of the Prequalification Document	
ITA 6.1 Clarification of Prequalification Document	Engr. Barkatullah Project Director Project Directorate Provincial Expressways Pakhtunkhwa Highways Authority Peshawar, Pakistan Phone: +92-91-9213927 / 9212291 / 9213522 Email: sewkpk@gmail.com
ITA 7.2 Amendment of Prequalification Document	Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the prequalification document from the Employer and shall also be uploaded on the website: pkha.gov.pk
C. Preparation of Applications	
ITA 9.1 Language of Application	The language of the application as well as of all correspondence is English . In case of translations, the applicant shall provide the notary certificates as per the law of their country.
ITA 10.1 (d) Documents Comprising the Application	<p>(i) Consortium / JV shall provide legal documents of each associated company, i.e. certificate of incorporation, memorandum of association and Consortium / JV agreement or letter of intent signed by all associated firms.</p> <p>(ii) Each page of prequalification document must be signed and stamped by legally authorized representative of the firm / JV.</p> <ul style="list-style-type: none"> • Complete signatures, initials and other personal details of the attorney should be provided on Power of Attorney. • Principal (issuing authority of power of attorney) shall provide the legal documents establishing his authority to sign power of attorney on behalf of company / JV. • Documents not duly signed and stamped shall not be considered for evaluation purpose.
ITA 14.2 Signing of the Application and Number of Copies	Two Copies in addition to One Original . Applicants shall also submit one electronic copy in PDF Format with the Application in CD or USB .
D. Submission of Applications	
ITA 16.1 Sealing and Identification of Applications	The Last date for submission of Application is 10th December 2020 up to 1530 hours at the address mentioned at ITA 6.1.
ITA 26.1 Notification of Prequalification	Employer will inform the pre-qualified and disqualified applicants separately about the result of their application after the completion of evaluation process.

Section III: Qualification Criteria and Requirements

This Section contains all the methods, criteria, and requirements that the PKHA shall use to evaluate applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

Summary of Evaluation Criteria

A. Eligibility:

- 1.1 Registration with Tax Authorities
- 1.2 Registration with Pakistan Engineering Council (PEC)*
- 1.3 Non-Blacklisting
- 1.4 Litigation

* For local constructors only. PEC license of foreign firms will be required prior to signing of Concession Contract.

B. Technical Qualifications: 70 Marks

- | | |
|---|----|
| 2.1 Proposed Organization Structure | 15 |
| 2.2 General Construction experience | 15 |
| 2.3 Specific Construction experience | 30 |
| 2.4 Management experience of PPP/BOT/EPC projects | 10 |

C. Financial Qualifications: 30 Marks

- | | |
|--|----|
| 3.1 Net Worth | 20 |
| 3.2 Letter of Intent from financial institution to secure loan | 10 |

TOTAL: 100 Marks

Minimum Qualifying Requirement: 60 Marks

Note: Pre-qualification status shall be decided on the basis of pass/fail basis. The applicants must secure at least 50% score in shaded criterion (2.3 and 3.1).

Detailed Narrative Evaluation Criteria

A. Eligibility:

1.1 Registration with Tax Authorities

- a. The applicant, in case of a Consortium, all members of the consortium and the constructor, must possess valid registration certificate from income tax authority (i.e., the NTN certificate).
- b. Valid NTN certificate(s) and tax returns filed for last three years to be attached.
- c. Foreign entities, if participating in the prequalification process, should submit tax certificate of their country duly translated in English and duly attested by Pakistani Consulate / Pakistan High Commission in their country.

1.2 Registration with Pakistan Engineering Council (PEC)

The constructor(s) must possess valid PEC registration certificate in category 'CA' and in discipline CE01 & CE02.

- a. Copy of Valid PEC registration certificate(s) to be attached.
- b. In case there is more than one constructor, all such constructors must meet the criterion.
- c. PEC registration of foreign entity will not be required at prequalification stage. The PEC license in above mentioned category will be required prior to signing of Concession Contract.
- d. In accordance with PEC Construction Bylaws, foreign constructor will be required to provide minimum 30% share in construction work to local entity (ies), who have a demonstrated record of highway/motorway construction projects.

1.3 Non-Blacklisting

- a. The applicant or any member of the consortium, and its constructor, shall not be blacklisted by PKHA or any Federal Government or Provincial Government Department or in a foreign country where they usually operate.
- b. The applicant and all members of the consortium, shall submit an Affidavit on stamp paper to this effect.

1.4 Litigation

- a. A fully settled dispute or litigation is one that has been resolved in accordance with the Dispute Resolution Mechanism under the respective contract and where all appeal instances available to the applicant have been exhausted. All pending litigation shall in total not represent more than 50% of the Applicant's net worth and shall be treated as resolved against the Applicant (Form PER – 3.1)

B. Technical Qualification (Seventy (70) Marks):

No.	Subject	Requirement	Compliance Requirements	Maximum Marks	Forms to be filled along with attachments
2.1	Proposed Organization Structure	In accordance with PDS (ITA 4.1), the applicant must show the proposed organization (business) structure of the consortium with delineation of roles of each member and proposed share in the equity contribution towards the project. The maximum equity share holder may be designated as a lead member. The EPC contractor(s) shall be defined along with their construction share in percentage.	Must provide	15 Marks	Form BS-2.1
2.2	General Construction Experience	Experience under construction contracts for the last ten (10) years. A list of construction contracts may be provided. Note: Letter of Award / Acceptance and Completion Certificate must be Provided with the Documents.	Each constructor must provide	15 Marks	Form EXP-4.1
2.3	Specific Construction Experience	The applicant (constructor) must have successfully executed and completed at least one (01) contract within the last Ten (10) years on the capacity of the Contractor. This contract must be similar to the proposed works. The similarity shall be based on the physical size, complexity, methods / technology or other characteristics, i.e. expressway, tunnel, elevated structures like long flyovers and long underpasses. Note: Letter of Award/ Acceptance and Completion Certificate must be provided with the Documents.	Any one constructor must meet	30 Marks	Form EXP-4.2
2.4	Management Experience of PPP / BOT / EPC Projects	The applicant or any of its partners must have successfully and substantially completed at least one (01) contract within the last Ten (10) years, in the capacity of PPP/ BOT/ EPC firm	Any one partner must provide	10 Marks	Form EXP-4.3

C. Financial Qualifications (Thirty (30) Marks)

No.	Subject	Requirement	Compliance Requirements	Maximum Marks	Forms to be filled along with attachments
<p><i>Submission of audited balance sheets, for the last Three (03) years of each JV / Consortium member (excluding the consultant) to demonstrate the current soundness of the applicant's financial position and its prospective long term profitability.</i></p>					
3.1	Net Worth	<p>The applicant must have tangible Net Worth of Pak Rupees 5,000 million or US\$ 31 million.</p> <p>Only such members of the Consortium/JV who are proposed to be shareholders/ equity holders as per the consortium/ JV agreement shall be considered for this criterion.</p>	Each partner must meet as per their proposed respective equity contribution	20 Marks	Form-FIN-5.1
3.2	Letter of Intent from a Financial institution to secure loan (for remaining 70% of project cost)	<p>The applicant is required to produce a Letter of Intent from a Financial Institution as evidence to secure loan from the Financial Institution for the 70% of the project cost (of the portion which is to be arranged by the bidder).</p> <p>This Letter of Intent must be Project and Party specific and must be designed to evidence the success of the future Financial Close to be submitted by the applicant for the project if awarded.</p>	Any one partner must meet	10 Marks	Form-FIN-5.2

Section IV: Application Forms

Application Submission Form

Date: _____,

Contract:

Engr. Barkatullah
Project Director
Project Directorate Provincial Expressways
Pakhtunkhwa Highways Authority
Peshawar, Pakistan
Phone: +92-91-9213927 / 9212291 / 9213522

We, the undersigned, apply to be pre-qualified for the referenced Project and declare that:

- (a) We have examined and have no reservations to the Pre-qualification Documents, including Addendum(s) No(s)., issued in accordance with Instructions to Applicants (ITA) Clause 7;
- (b) We, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, do not have any conflict of interest, in accordance with ITA Sub-Clause 4.3;
- (c) We, including any subcontractors or suppliers for any part of the contract resulting from this prequalification, have not been declared ineligible by the Employer, or under the Government of Pakistan's laws, official regulations, or under execution of a Bid Securing Declaration in Pakistan;
- (d) We, in accordance with ITA Sub-Clause 22.1 plan not to subcontract the works /or parts of the works;
- (e) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any application that you may receive nor to invite the pre-qualified applicants to bid for the contract subject of this pre-qualification, without incurring any liability to the Applicants, in accordance with ITA Clause 24.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name [insert full name of person signing the application]

In the Capacity of [insert capacity of person signing the application]

Duly
authorized to sign the application for and on behalf of: Applicant's Name *[insert full name of Applicant]* Address *[insert street number/town or city/country address]*_____

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*_____

Form ELI -1.1

Applicant Information Form

Date: _____,

Contract:

Page _____ of _____

Applicant's legal name:	
In case of JV/ consortium, legal name of each partner:	
Nature of Business: (Whether the firm is a Corporation, Partnership, Trust etc.) (In case of Consortium; whether the Lead Consortium Member is a Corporation, Partnership, Trust etc.)	
Head Office address with Telephone/ Fax/ E-mail details	
Place of Incorporation / Registration:	
Year of Incorporation / Registration:	
Applicant's legal address in country of constitution:	
PEC Registration Category _____ Validity _____ (To be filled by constructor(s))	
Detail of Owners of Applicants Name: Address: Telephone/Fax numbers: E-mail address:	Authorized representative information Name: Address: Telephone/Fax numbers: E-mail address:
Attached are copies of original documents of: <ul style="list-style-type: none"> <input type="checkbox"/> Articles of Incorporation or Documents of Constitution, and documents of registration of the legal entity named above. <input type="checkbox"/> In case of JV/ consortium, letter of intent to form JV/ consortium or JV/ consortium agreement, in accordance with ITA 4.1. <input type="checkbox"/> Valid Registration Certificate from PEC. 	

Form BS – 2.1
Business Structure Form

The applicant shall provide all the details as mentioned in the Detailed Narrative Evaluation Criteria at B-2.1

Form PER - 3.1

LITIGATION

[The following table shall be filled in for the Applicant and for each partner of consortium/ JV]

Date: _____,

Contract:

Page _____ of _____

The Applicant must provide an Affidavit:			
Year	Outcome as Percentage of Total Assets	Contract Identification	Total Contract Amount (current value, Rs.)

Form EXP - 4.1 General Construction Experience

[The following table shall be filled in for the Applicant and for each partner of a Joint Venture/ consortium]

Date: _____,

Contract:

Page _____ of _____

[Identify contracts that demonstrate construction work over the past ten [10] years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 2.2. List contracts chronologically, according to their commencement (starting) dates.]

Date of Award	Date of completion	Contract Identification	Role of Applicant
		Contract name: _____ Brief Description of the Works performed by the Applicant: _____ Amount of contract: _____ Percentage Share: (If partner in JV or Sub-contractor) _____ Name of Employer: _____ Address: _____	Contractor, Management Contractor or Nominated/ Approved Sub-Contractor
		Contract name: _____ Brief Description of the Works performed by the Applicant: _____ Amount of contract: _____ Percentage Share: (If partner in JV or Sub-contractor) _____ Name of Employer: _____ Address: _____	Contractor, Management Contractor or Nominated/ Approved Sub-Contractor

Form EXP - 4.2 Specific Construction Experience

[The following table shall be filled in for contracts performed by the Applicant or any one partner of the JV/ consortium]

Date: _____,

Contract:

Page _____ of _____

[Identify similar contracts over the past ten (10) years pursuant to Section III, Sub-Factor 2.3. List contracts chronologically, according to their commencement (starting) dates]

Similar Contract No.	Information		
Contract Identification			
Total Contract Amount			
Award date (Letter of Award)			
Completion date (completion Certificate)			
Role in Contract	Contractor	Management Contractor	Nominated/ Approved Subcontractor
If partner in a JV, or subcontractor	%age Amount (specify participation)		Total Amount
Employer's Name:			
Address: Telephone/fax number: E-mail:			
Description of the similarity in			
1. Nature / Physical size			
2. Complexity			
3. Method / Technology			

Form EXP - 4.3

Specific/Similar Management Experience of PPP / BOT / EPC Projects

[The following table shall be filled in for contracts performed by the Applicant, or any one partner of the JV/ consortium]

Date: _____,

Contract:

Page _____ of _____

Similar Contract No.			
Contract Identification			
Total Contract Amount			
Award date (Letter of Award)			
Completion date (completion Certificate)			
Role in Contract	Contractor	Management Contractor	Nominated/ Approved Subcontractor
If partner in a JV, or subcontractor	%age Amount (specify participation)	Total Amount	
Employer's Name:			
Address: Telephone/fax number: E-mail:			
Mode of Contract			

Form EXP - 4.4

Specific/Similar Project management Experience For Design & Construction Supervision

[The following table shall be filled in for contracts performed by the Applicant, or the project management entity associated with the consortium/ JV]

Date: _____,

Contract:

Page _____ of _____

Similar Contract No.		
Contract Identification		
Total Contract Amount		
Award date (Letter of Award)		
Completion date (completion Certificate)		
Role in Contract	Design Consultant	Supervision Consultant
If partner in a JV, or Association	%age Amount (specify participation)	Total Amount
Employer's Name:		
Address: Telephone/fax number: E-mail:		
Description of the similarity in		
1. Nature / Physical size		
2. Complexity		
3. Method / Technology		

Form FIN – 5.1 Financial Qualification

[The following table shall be filled in for the Applicant and for each partner of a Joint Venture/ consortium]

Date: _____,

Contract:

Page _____ of _____

1. Financial data

Financial information	Historic information for previous years (Rupees in Million)		
	Year-1	Year-2	Year-3
Information from Balance Sheet			
Total Assets (TA)			
Total Liabilities (TL)			
Net Worth (NW)			
Current Assets (CA)			
Current Liabilities (CL)			
Net working Capital.			
Information from Income Statement			
Total Revenue (TR)			
Profits Before Taxes (PBT)			

2. Financial documents

The Applicant and its parties shall provide copies of the balance sheets and/or financial statements for last three (03) years pursuant to Section-III, Qualifications Criteria and Requirements, Sub-factor 3.1. The financial statements shall:

- (a) Reflect the financial situation of the Applicant or partner to a JV, and not sister or parent companies.
- (b) Be audited by a certified accountant.
- (c) Be complete, including all notes to the financial statements.
- (d) Correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).

Form FIN - 5.2
Possible Sources of financing the Project Debt

**Letter of Intent from a Financial Institution as evidence to secure
Loan for the 70% of the Project Cost (of the portion which is to be
arranged by the Bidder)**

PART - 2

Works Requirements

Section V: Project Description

Khyber Pakhtunkhwa Highways Authority (PKHA)

The Pakhtunkhwa Highways Authority (PKHA) previously known as Frontier Highways Authority was established on August 29, 2001 through NWFP Ordinance No. XIX of August 29. The basic idea of its creation was to conceive, plan and ensure the Construction, Improvement, Maintenance, and Repair of Provincial Highways and Maintenance, of Provincial Highways and Roads. It will also undertake other communication projects as indicated by the Government of Khyber Pakhtunkhwa. Presently PKHA is the custodian of 32 Nos. Provincial Highways with a total length 2,747 Km.

Swat Motorway

The Government of Khyber Pakhtunkhwa through Pakhtunkhwa Highways Authority (PKHA), planned and undertook the construction of “Swat Motorway” as a phased program under Public Private Partnership regime based on Build Operate Transfer (BOT) basis. In Phase 1, 81 kilometers long, high speed, fenced, 4-lane motorway with three (03) twin tube tunnels in the Malakand mountainous range is open to traffic. The motorway forms part of trade corridor commencing from Kernal Sher Khan Interchange at M-1 Motorway and terminating at Chakdara intersection of National Highways N-45 and N-95 respectively (Malakand Agency). The Motorway will provide alternate route for District Swat, Dir Lower, Dir Upper, Shangla, Malakand Agency, Bajour Agency and other parts of Malakand region promoting interconnectivity with developed regions of the country. It has attracted most of the through traffic of Swat, Dir and other upper areas, thus reducing traffic congestions and road accidents on the existing National Highway N-45 that passes through built-up towns of Rashakai, Mardan, Takhtbai, Shergah, Sakhakot, Dargai and Batkhela.

The Project

Presently, the government of Khyber Pakhtunkhwa has taken up detailed design and planning of Phase-II of Swat Motorway from Chakdara to Fatehpur - Madyan, approximately 80 km in length. The extension of Swat motorway from Chakdara to Fatehpur will be a controlled access facility, planned as a 4-lane (2x2) extendable to six (06) lanes (3x3) to cater for future transportation needs. Following successful implementation of Phase I of the Swat motorway, the project has been conceived to be implemented under Public Private Partnership (PPP) on Build-Operate-Transfer (BOT) basis.

PROJECT BENEFITS:

- ✚ Swat Motorway will have tremendous impact on remote areas of Khyber Pakhtunkhwa besides its impact on the Swat region for providing direct access to motorway network of the country. It would largely provide following benefits to the Khyber Pakhtunkhwa and the country in general:
- ✚ Reduction in Traffic Congestion on existing National Highway N-95 and connected Provincial Highway S-3B Swat through High Speed Transport Corridor.
- ✚ Reduction in Travel Time through Short Access to and from Malakand & Swat Districts to Down Districts. Travel time for tourists will decrease after the construction of Swat Motorway Phase-II from approximately 2 hours 20 minutes to 40-45 minutes.
- ✚ There are few bridge structures on the current routes from Chakdara to Madyan, more bridge structures are provided for phase-II which will increase the access of people to motorway from N-95 and S-3B.
- ✚ Provision of Direct Access to Isolated Communities of Malakand and Swat Districts Promoting Social Harmony.
- ✚ Swat Motorway is envisaged to Boost Agricultural Economy within Swat districts, which will provide efficient means of Farm to Market Access for Local Farmers & Orchard Owners.
- ✚ Robust Promotion of Tourism to Swat and upper Swat Districts connecting Karakorum Highway N-35.
- ✚ Direct access to upper districts of Khyber Pakhtunkhwa namely Shangla, Alpuri, Besham connecting Karakorum Highway N-35 as a shortest route within the China Pakistan Economic Corridor (CPEC) framework.
- ✚ Provision of a standardized road with good ride quality, reducing vehicle operating costs (VOC's) with direct impact on country's micro economics in general.
- ✚ Presently, construction of Swat Motorway Phase II could be accomplished ensuring minimal possible displacement of local people due to land availability

Salient features of the Project

✚	Alignment	:	New
✚	Project Length	:	80 Kilometers (fenced)
✚	Right of Way	:	50 ~ 55 Meter (approx. 165ft)
✚	No. of Lanes	:	4 (four)
✚	Future Planning	:	Addition of 1 Outer Lane on either side
✚	Shoulder width (treated)	:	Outer – 3 meter & Inner – 1 meter
✚	Interchanges Enroute	:	09 Nos.
✚	Service Road	:	Nil (N-95 & S-3 to serve as Service Roads)
✚	Construction Period	:	02 Years
✚	Cost of Land and Re-Settlement (To be borne by the Government)	:	Rs.20.5 Billion
✚	Construction Cost (tentative)	:	Rs 37 Billion (Based on NHA CSR 2014)

Proposed Interchanges

1. Chakdara Interchange **(Start Point)**
2. Shamoza Interchange
3. Barikot Interchange
4. Mingora - Thakhtaband Interchange
5. Kanju Interchange
6. Malam Jabba - Swat University Interchange
7. Sher Palam Interchange
8. Matta - Khwazakhela Interchange
9. Fatehpur - Madyan Interchange **(End Point)**

Project Location Map

Following **Figure** portrays the Project alignment that commences from Chakdara and terminates at Fatehpur. It also indicates the location of the proposed interchanges.

