# Section 3 - Evaluation and Qualification Criteria

## Table of Criteria

**1. Evaluation ..... 3-2**
**1.1 Adequacy of Technical Proposal ..... 3-2**
**1.2 Completion Time ..... 3-2**
**1.3 Technical Alternatives ..... 3-2**
**1.4 Quantifiable Nonconformities and Omissions ..... 3-2**
**1.5 Margin of Preference ..... 3-2**
**1.6 Multiple Contracts ..... 3-3**
**1.7 Other Criteria ..... 3-3**

**2. Qualification ..... 3-4**
**2.1 Eligibility ..... 3-4**
2.1.1 Nationality ..... 3-4
2.1.2 Conflict of Interest ..... 3-4
2.1.3 ADB Eligibility ..... 3-4
2.1.4 Government-Owned Enterprise ..... 3-4
2.1.5 United Nations Eligibility ..... 3-4
2.1.6 Registration with Pakistan Engineering Council (PEC) ..... 3-5
**2.2 Pending Litigation and Arbitration ..... 3-6**
2.2.1 Pending Litigation and Arbitration ..... 3-6
**2.3 Financial Situation ..... 3-7**
2.3.1 Historical Financial Performance ..... 3-7
2.3.2 Average Annual Construction Turnover ..... 3-7
2.3.3 Financial Resources ..... 3-8
**2.4 Construction Experience ..... 3-9**
2.4.1 Contracts of Similar Size and Nature ..... 3-9
2.4.2 Construction Experience in Key Activities ..... 3-10

# 1. Evaluation

In addition to the criteria listed in ITB 36.2 (a)–(e), other relevant factors are as follows:

### 1.1 Adequacy of Technical Proposal

Evaluation of the Bidder's Technical Proposal will include an assessment of the Bidder's technical capacity to mobilize key equipment and personnel for the contract consistent with its proposal regarding work methods, scheduling, and material sourcing in sufficient detail and fully in accordance with the requirements stipulated in Section 6 (Employer's Requirements).

Non-compliance with equipment and personnel requirements described in Section 6 (Employer's Requirements) shall not normally be a ground for bid rejection and such non-compliance will be subject to clarification during bid evaluation and rectification prior to contract award.

### 1.2 Completion Time

An alternative Completion Time, if permitted under ITB 13.2, will be evaluated as follows:

***– Not Applicable –***

### 1.3 1.3 Technical Alternatives

Technical alternatives, if permitted under ITB 13.4, will be evaluated as follows:

***– Not Applicable –***

### 1.4 Quantifiable Nonconformities and Omissions

Subject to ITB 14.2 and ITB 36.2, the evaluated cost of quantifiable nonconformities including omissions, is determined as follows:

Pursuant to ITB 31.3, the cost of all quantifiable nonmaterial nonconformities shall be evaluated, including omissions in Daywork where competitively priced but excluding omission of prices in the Bill of Quantities. The Employer will make its own assessment of the cost of any nonmaterial nonconformities and omissions for the purpose of ensuring fair comparison of bids.

### 1.5 Margin of Preference (Applicable for ICB only)

If a margin of preference shall apply under ITB 35.1, the procedure will be as follows as:

***– Not Applicable –***

### 1.6 Multiple Contracts

***– Not Applicable –***

### 1.7 Other Criteria

The Employer will take into account the quality of the Health and Safety COVID -19 Plan ('the Plan') attached to the Technical Proposal in its evaluation of the Adequacy of the Technical Proposal.

The bidder should demonstrate in the Plan the health and safety measures they will put in place on site in relation to COVID-19 prevention and controls, including but not limited to, PPE requirements, site set up, training, induction and mobilization of new personnel, equipment and plants cleaning and other hazard management measures while undertaking site work activities, site visitors health and safety protocols, as well as the approach to the monitoring and reporting of the Plan. The Plan should be fit for purpose for the particular construction works of this contract and be aligned with any relevant government regulations and guidelines on COVID-19 prevention and controls, as well as workplace safety requirements, or in the absence thereof, to international good practice guidelines such as World Health Organization 2020. Considerations for public health and social measures in the workplace in the context of COVID- 19 Geneva available here: https://www.who.int/publicationsdetail/considerations-for-public-health-and-social-measures-in-the-workplacein-the-context-of-covid-19.

# 2. Qualification

It is the legal entity or entities comprising the Bidder, and not the Bidder's parent companies, subsidiaries, or affiliates, that must satisfy the qualification criteria described below.

## 2.1 Eligibility

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| | | Joint Venture | | | |
| Requirement | Single Entity | All Partners Combined | Each Partner | One Partner | Submission Requirements |
| **2.1.1 Nationality** | | | | | |
| Nationality in accordance with ITB Subclause 4.2. | must meet requirement | must meet requirement | must meet requirement | not applicable | Forms ELI – 1; ELI – 2 with attachments |
| **2.1.2 Conflict of Interest** | | | | | |
| No conflicts of interest in accordance with ITB Subclause 4.3. | must meet requirement | must meet requirement | must meet requirement | not applicable | Letter of Technical Bid |
| **2.1.3 ADB Eligibility** | | | | | |
| Not having been declared ineligible by ADB, as described in ITB Subclause 4.4. | must meet requirement | must meet requirement | must meet requirement | not applicable | Letter of Technical Bid |
| **2.1.4 Government-Owned Enterprise** | | | | | |
| Bidder required to meet conditions of ITB Subclause 4.5. | must meet requirement | must meet requirement | must meet requirement | not applicable | Forms ELI - 1, ELI - 2 with attachments |
| **2.1.5 United Nations Eligibility** | | | | | |
| Not having been excluded by an act of compliance with a United Nations Security Council resolution in accordance with ITB Subclause 4.7. | must meet requirement | must meet requirement | must meet requirement | not applicable | Letter of Technical Bid |

### 2.1.6 Registration with Pakistan Engineering Council (PEC)

| | | | | | |
|---|---|---|---|---|---|
| National Bidder must be registered with Pakistan Engineering Council (PEC) and shall have a valid registration Certificate (2022) in category for **Lot-3: C-1** or above with **Specialization in CE10** at the time of bid submission. *If the winning bidder includes local firm whose registration expires prior to contract award, the firm shall be given reasonable time to extend such registration.* | must meet requirement | not applicable | JV partner must meet requirement as per their respective JV share | must meet requirement | Forms ELI - 1; ELI - 2 with attachments |

## 2.2 Pending Litigation and Arbitration

Pending litigation and arbitration criterion shall apply.

### 2.2.1 Pending Litigation and Arbitration

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| All pending litigation and arbitration, initiated against the Bidder, if any, shall be treated as resolved against the Bidder and so shall in total not represent more than **fifty percent (50%)** of the Bidder's net worth calculated as the difference between total assets and total liabilities. | must meet requirement by itself or as partner to past or existing Joint Venture | not applicable | must meet requirement by itself or as partner to past or existing Joint Venture | not applicable | Form LIT - 1 |

## 2.3 Financial Situation

### 2.3.1 Historical Financial Performance

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Submission of audited financial statements or, if not required by the law of the Bidder's country, other financial statements acceptable to the Employer, for **years 2020, 2021 & 2022** or the **latest three years** audited financial statement to demonstrate the current soundness of the Bidder's financial position. As a minimum, the Bidder's net worth for the last year calculated as the difference between total assets and total liabilities should be positive. | must meet requirement | not applicable | must meet requirement | not applicable | Form FIN - 1 with attachments |

### 2.3.2 Average Annual Construction Turnover

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| Minimum average annual construction turnover of the amount mentioned below calculated as total certified payments received for contracts in progress or completed, within the last **three (03) years:**<br><br>**Lot-3: PKR 1,358 million** | must meet requirement | must meet requirement | must meet 25% of the requirement | must meet 40% of the requirement | Form FIN - 2 |

### 2.3.3 Financial Resources

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| **Requirement** | **Single Entity** | **Joint Venture** | | | **Submission Requirements** |
| | | **All Partners Combined** | **Each Partner** | **One Partner** | |
| **<u>For Single Entities:</u>**<br><br>The Bidder must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its current contract commitments defined in FIN - 4, meet or exceed the total requirement for the Contracts of:<br><br>**Lot-3: PKR 226 million** | must meet requirement | not applicable | not applicable | not applicable | Form FIN – 3 and Form FIN – 4<br>If the Bidder want to make use of line of credit to meet financial resource requirement, the bidder shall provide dedicated line of credit from the issuing bank by clearly indicating the name of this project. |
| **<u>For Joint Ventures:</u>**<br>(1) One partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of amount mentioned below from the total requirement for the Subject Contract:<br><br>**Lot-3: PKR 90 million**<br><br>AND | not applicable | not applicable | not applicable | must meet requirement | Form FIN – 3 and Form FIN – 4<br>If the Bidder want to make use of line of credit to meet financial resource requirement, the bidder shall provide dedicated line of credit from the issuing bank by clearly indicating the name of this project. |
| (2) Each partner must demonstrate that its financial resources defined in FIN - 3, less its financial obligations for its own current contract commitments defined in FIN - 4, meet or exceed its required share of amount mentioned below from the total requirement for the Subject Contract.<br><br>**Lot-3: PKR 56 million**<br>AND | not applicable | not applicable | must meet requirement | not applicable | Form FIN – 3 and Form FIN – 4<br>If the Bidder want to make use of line of credit to meet financial resource requirement, the bidder shall provide dedicated line of credit from the issuing bank by clearly indicating the name of this project. |
| (3) The joint venture must demonstrate that the combined financial resources of all partners defined in FIN - 3, less all the | not applicable | must meet requirement | not applicable | not applicable | Form FIN – 3 and Form FIN – 4<br>If the Bidder want to make use of line of credit to meet |

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| **Requirement** | **Single Entity** | **Joint Venture** | | | **Submission Requirements** |
| | | **All Partners Combined** | **Each Partner** | **One Partner** | |
| partners' total financial obligations for the current contract commitments defined in FIN - 4, meet or exceed the total requirement for the contracts mentioned below:<br><br>**Lot-3: PKR 226 million** | | | | | financial resource requirement, the bidder shall provide dedicated line of credit from the issuing bank by clearly indicating the name of this project. |

## 2.4 Construction Experience

### 2.4.1 Contracts of Similar Size and Nature

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| **Requirement** | **Single Entity** | **Joint Venture** | | | **Submission Requirements** |
| | | **All Partners Combined** | **Each Partner** | **One Partner** | |
| Participation as a contractor, Joint Venture partner, or Subcontractor, in at least one contract that has been successfully or substantially completed within the last **five (05) years** and that is similar to the proposed works, where the value of the Bidder's participation in the contract exceeds the amount mentioned below. The similarity of the Bidder's participation shall be based on details/characteristics as described in Section 6 "Employer's Requirements" which require experience in the construction of asphaltic road pavement and allied works having a minimum cost of.<br><br>**Lot-3: PKR 679 Million** | must meet requirement | not applicable | not applicable | must meet requirement | Form EXP – 1<br><br>Completion, or Taking Over or substantial completion certificate from the Employer or by the Engineer indicating Employer's name, contract name, value and completion time to demonstrate compliance with the requirements.<br><br>If the participation was through a JV or as subcontractor, only the respective share will be considered. Also, Using Form EXP-1, the Bidders must specify percent and amount of participation of total contract amount. The Bidders may also provide pertinent information such as JV/subcontract agreement and payment receipts. |

## 2.4.2 Construction Experience in Key Activities

(May be complied with by the Bidder or by Specialist Subcontractor. If Specialist Subcontractors are proposed by the Bidder for key activities, each Specialist Subcontract must have experience in related key activity as a single entity.

If the key activity is to be undertaken by a Specialist Subcontractor, the Employer shall require evidence of the subcontracting agreement from the Bidder.)

| Criteria | Compliance Requirements | | | | Documents |
|---|---|---|---|---|---|
| Requirement | Single Entity | Joint Venture | | | Submission Requirements |
| | | All Partners Combined | Each Partner | One Partner | |
| For the above or other contracts executed during the period stipulated in 2.4.1 above, a minimum construction experience in the following key activities: | must meet requirements | must meet requirements | not applicable | not applicable | Form EXP – 2<br>IPCs or Completion/Substantial completion / taking over certificate or certificate of execution of activities from the Employer of completed / substantially completed projects to substantiate experience in Key Activities |
| **Lot-3:** | | | | | |
| (i) Construction of Asphaltic Road Pavement<br>*[minimum 600,000 Sq. Ft.]* | | | | | |
| (ii) Construction of Road Side Drainage<br>*[minimum 4 Km]* | | | | | |
| (iii) At least completed One Intelligent Traffic Signal (ITS) based junctions / roads<br>(bidder can propose through specialized Sub-Contractor as mentioned above under the heading of 2.4.2) | | | | | |

In the case of a joint venture bidder, at least one of the partners must have experience in the key activity if the bidder itself (not its subcontractor) will carry out the relevant activity.