

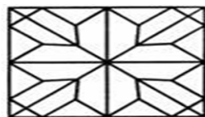


NATIONAL INDUSTRIAL PARKS
Development & Management Company

**CONSTRUCTION OF INFRASTRUCTURE WORKS AT
NAUSHAHRO FEROZE INDUSTRIAL PARK (NFIP) AT
DISTRICT NAUSHAHRO FEROZE**

**PREQUALIFICATION DOCUMENT
FOR
CONTRACTOR**

October, 2016



ARCH VISION
CONSULTING ENGINEERS,
ENVIRONMENTALISTS &
ARCHITECTS

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**CONSTRUCTION OF INFRASTRUCTURE AND ALLIED WORKS AT
NAUSHAHRO FEROZE INDUSTRIAL PARK (NFIP) AT
DISTRICT NAUSHAHRO FEROZE**

Prequalification Document of Contractor

INSTRUCTIONS TO APPLICANTS

1. General

National Industrial Parks Development & Management Company (NIP D&MC) is desired to developed infrastructure at Naushahro Feroze Industrial Park at Naushahro Feroze.

2. Submission of Applications

2.1 NIP invites the application from the bidders to undertake the Development of National Industrial Park at Naushahro Feroze.

2.2 Applications for Prequalification (One Original and One Copy) must be submitted in separate sealed envelopes clearly mark Original (or) Copy, and placed under an outer envelope clearly marked with "Application for Pre-qualification" for "Infrastructure Development at Naushahro Feroze Industrial Park". This should be delivered by hand (or) courier to

Chief Executive Officer
National Industrial Parks (NIP)
Development and Management Company
2nd Floor, Block-C, FTC Building,
Shahrah-e-Faisal, Karachi-74400, Pakistan
Phone: 021-99205035-9, 021-35631046-8
Fax: 021-35631069, Web: www.nip.com.pk

2.3 All pages of the Prequalification Documents shall be numbered, stamped and signed by the Authorized person. Pages which are unsigned and unstamped shall not be considered in evaluation.

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 the English language. Information in any other language shall be accompanied by its translation in English. The Employer reserves the rights 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 Applicant, who has obtained pre-qualification documents, may request for clarification of contents of the document in writing, and respond to such queries shall be made in writing within three calendar days, provided they are received at least five calendar days prior to the date of submission of pre-qualification 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 Prequalification Document.
- 2.9 Documents shall be received by the Employer at the address given in Section 2.2, on the date which has been set in Advertisement. The Employer may, at its discretion, extend the deadline for the submission of documents by amending the Prequalification Document, and 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.
- 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 may be rejected.

3. Evaluation / Pre-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 experience & resources of all firms will be considered as per para 5.

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-9** been provided?
- 3.2.3 Have all Affidavits required under Form A-8 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 Mandatory Requirements

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

- 3.3.1 Registration with Pakistan Engineering Council in Category **C-2** or above and at least in specialization codes **CE01, CE09 & CE10**. The contractor should enclose PEC Registration Certificate.
- 3.3.2 The contractor should also submit copy of Registration Certificate of NTN and SNTN.

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 A
3.5.1	Financial	25	12.5
3.5.2	Experience	45	22.5
3.5.3	Personnel	15	7.5
3.5.4	Equipment	15	7.5

To qualify, applicants must receive not less than the specified minimum acceptable points for each category at 50% and an aggregate 60% points of maximum 100 points.

3.5 Criteria for Detailed Evaluation

Detailed evaluation criteria is as below:-

3.5.1 **Financial Tendering 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) from Chartered Accountant firm must be submitted and should demonstrate the soundness of the applicant's financial position, showing long term profitability. 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:

S.N	Description	Max Points Assigned	Criteria for Points Obtained
a)	Available Bank Credit Line (latest)	06	<ul style="list-style-type: none"> One (02) Point is given if the available bank credit line limit is equal to Rs.50 Million. Half (01) additional point is given for every Rs.25 million increase in the credit line. Full Points are given in case of limit exceeding Rs.150 million.
b)	Average Working Capital in last three (3) years	08	<ul style="list-style-type: none"> Seven (06) 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.25 million increase in the working capital. Full Points are given in case of working capital exceeding Rs.100 Million

c)	Average Annual Turnover in last three (3) years	07	<ul style="list-style-type: none"> • Eight (05) Points are given if the average annual Turnover in last three years is equal to Rs.500 Million. • One (0.5) additional point is given for every Rs.125 Million increase in the average annual turnover. • Full Points are given in case of average annual Turnover exceeds Rs.1000 Million.
d)	Income tax return for the last three (3) years	04	<ul style="list-style-type: none"> • No Point will be given if income tax return is not submitted for previous year. • Three (03) points for Income Tax return submitted for last 2 years. • Full Points will be given in case of income tax return for the last three (3) years is submitted.
Total Points Allocated		25	

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.	
Similar projects executed of over Rs.500 million (10 Marks for each project)	30
Similar projects in hand of over Rs.500 million (05 Marks for each Project)	15
Maximum Points	45

- 3.5.3 **Personnel will be deputed on site (Form A-4 & A-5)** will be evaluated on the basis of following points:

	Key Personnel	Points
i.	Project Manager	4
ii.	Site Engineer	3
iii.	Material Engineer	3
iv.	Surveyor	2
v.	Site Supervisor (Civil)	1
vi.	Site Supervisor (Electrical)	1
vii.	Site Supervisor (Mechanical)	1
	Maximum Points	15

- * Safety Measure should be the responsibility of Project Manager and Site Engineer.

(Information regarding education 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 personnel propose for the above position duly signed and any other relevant documents).

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

3.5.3.1 **Project Manager (Form A-4 and A-5)**

(Must be a University Engineering Degree Holder in Civil)

	Points
B.E. (Civil)	0.5
Master Degree (Engineering) in Civil (Additional)	0.5
Maximum Points	1.0
Total Work Experience (Years)	
More than 20	1.5
15 ⁺ -20	1.0
10 ⁺ -15	0.5
10 or less	0.0
Maximum Points	1.5
Specific Experience (Years)	
More than 15	1.5
10 ⁺ -15	1.0
05 ⁺ -10	0.5
05 or less	0.0
Maximum Points	1.5
Maximum Points	4.0

3.5.3.2 Site Engineer (Form A-4 and A-5)

(Must be a University Engineering Degree Holder in Civil)

	Points
University Degree (Engineering) in Civil	0.5
Maximum Points	0.5
Total Work Experience (Years)	
More than 15	1.5
10 ⁺ -15	1.0
05 ⁺ -10	0.5
05 or less	0.0
Maximum Points	1.5
Specific Experience (Years)	
More than 10	1.0
05 ⁺ -10	0.5
05 or less	0.0
Maximum Points	1.0
Maximum Points	3.0

3.5.3.3 Material Engineer (Form A-4 and A-5)

(Must be a University Engineering Degree Holder in Civil)

	Points
University Degree (Engineering) in Civil	0.5
Maximum Points	0.5
Total Work Experience (Years)	
More than 12	1.5
07-12	1.0
03 ⁺ -07	0.5
03 or less	0.0
Maximum Points	1.5
Specific Experience (Years)	
More than 07	1.0
03 ⁺ -07	0.5
03 or less	0.0
Maximum Points	1.0
Maximum Points	3.0

3.5.3.4 Surveyor (Form A-4 and A-5)
(Must be Diploma of Associate Engineer in Civil)

	Points
Diploma of Associate Engineer in Civil	1.0
Maximum Points	1.0
Total Work Experience (Years)	
More than 07	0.5
04 ⁺ -07	0.25
04 or less	0.0
Maximum Points	0.5
Specific Experience (Years)	
More than 07	0.5
03 ⁺ -07	0.25
03 or less	0.0
Maximum Points	0.5
Maximum Points	2.0

3.5.3.5 Site Supervisors (Form A-4 and A-5)
(Must be Diploma of Associate Engineer in their respective field)

For Each Supervisor

	Points
Diploma of Associate Engineer in Civil/ Elec/ Mech	0.5
Maximum Points	0.5
Total Work Experience (Years)	
More than 05	0.25
05 or less	0.0
Maximum Points	0.25
Specific Experience (Years)	
More than 04	0.25
04 or less	0.0
Maximum Points	0.25
Maximum Points	1.0

3.5.4 Equipment Capabilities (Form A-6)

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-6) 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 capacity	2	2
2. Loaders	1	1
3. Excavators	1	1
4. Transit Mixers	2	2
5. Grader	1	1
6. Rollers (Vibratory and Tandem)	1	1
7. Pneumatic Tire Rollers	1	1
8. Water Bowser	2	1
9. Concrete Mobile Pump & Concrete Mixture Machine	1	1
10. Crane 20 ton capacity	1	0.5
11. Welding Plants	1	0.5
12. Compressors	2	0.5
13. Generator *	1	0.5
14. Dewatering Pumps	2	1.0
15. Total Station & other Survey Equipment	1	1.0
Maximum Points		15

- * The Contractor should select generator of its desired capacity to keep the work running uninterrupted at site.

3.5.5 Litigation History (Form A-7)

The applicant should provide an affidavit showing accurate information of all litigation or arbitration resulting from contracts completed or under execution. A consistent history of more than one award against the applicant or any partner or a joint venture will result in rejection of the application.

4. Black Listing & Other Affidavits (Form A-8)

An affidavit / Undertaking is to be provided that the applicant currently not black listed by the government / semi government or any autonomous body.

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 applicant has never indulged in corrupt, fraudulent or collusive practice for procuring contracts.

5. Joint Venture (JV)

The contractor can form a Joint Venture (JV) to strengthen their technical & financial capabilities. In case of JV all information regarding both partners shall be given in relevant forms. JV agreement should be attached for information. Marking for Joint Venture Firms will be Cumulative.

6. Conflict of Interest

The applicant 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.

8. Other Factors

8.1 Only firms that have been pre-qualified under this procedure shall be invited to bid. A qualified firm may participate only in one bid for the contract. If a firm submits more than one bid, singly, 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 however, may be debriefed if solicited.

ANNEXURE-A

Annexure-A

Letter of Application

[Letterhead paper of the Applicant including full postal address, telephone no., fax no., telex no., cable and e-mail address]

Date:.....

To: **Chief Executive Officer**
National Industrial Parks (NIP)
Development and Management Company
2nd Floor, Block-C, FTC Building,
Shahrah-e-Faisal, Karachi-74400, Pakistan
Phone: 021-99205035-9, 021-35631046-8
Fax: 021-35631069, Web: www.nip.com.pk

Sirs,

1. Being duly authorized to represent and act on behalf of (hereinafter “the Applicant”), and having reviewed and fully understood all the prequalification information provided, the undersigned hereby apply to be prequalified as a bidder of the work for the “Detailed Designing and Construction Supervision of Infrastructure Works at Naushahro Feroze Industrial Park, Naushahro Feroze”.
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).
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 information, 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
 - (ii) reject or accept any application, cancel the pre-qualification process,
 - (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.

6. 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.

7. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Sign
Name
For and on behalf of (Name of Applicant)

APPLICATION FORMS

Application Form A-1

Page ____ of ____ Pages

General Information

All individual firms applying for pre-qualification are requested to complete the information in this form. Nationality information is also to be provided for foreign owners as required under the PEC Bye-Laws.

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.	E-mail	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

<i>Name of Applicant</i>

*Application and each partner to an application should provide information along with Letter of Award, Taking over Certificate, Maintenance / Defects Liability Certificate and any other relevant document, on their completed contracts of similar / comparable nature executed during last **ten (10)** years. (Instructions to Applicant, 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 & E-mail 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

Application Form A-3

Page ____ of ____ Pages

Financial Capability

Name of Applicant

Application should provide financial information to demonstrate that they meet the requirements stated in the Instructions to applicants. Each applicant must fill-in this form. If necessary, use separate sheets to provide complete banker information. A copy of the audited balance sheets from Chartered Accountant firm should be attached.

Banker	Name of Banker	
	Address of Banker	
	Telephone	Contact Name and Title
	Fax	Telex

Summarize actual assets and liabilities in Pak Rupees (Equivalent at the current rate of exchange at the end of each year) for the **last three (3) years**, based upon known commitments, projected assets and liabilities in Pak Rupees.

Financial Information in Pak Rs. or Equivalent	Actual: Previous Three Years			Projected for Next Year
	2013	2014	2015	2016
1. Total assets				
2. Current assets				
3. Total liabilities				
4. Current liabilities				
5. Profit before taxes				
6. Profit after taxes				

Specific proposed sources of financing to meet the cash flow or the Project, net of current commitments (Instructions to Applicants, Para 3.5.1).

Source of Financing	Amount (Pak Rs. or Equivalent)
1.	
2.	
3.	
4.	

Attach audited financial statements from Chartered Accountant firm for the last three years (for individual applicant).

Annual Turnover

The information supplied should be the annual turnover of the Applicant, in terms of the amounts billed to clients for each year for work in progress or completed over the last **three years**.

ANNUAL TURNOVER (Construction Only)		
Year	Turnover (in actual currency)	Equivalent Rupees (in millions)
1.		
2.		
3.		

Application Form A-4

Page ____ of ____ Pages

Personnel Capabilities

<i>Name of Applicant</i>

For specific positions essential to contract implementation, Applicants should provide the names of at least two (02) candidates qualified to meet the specified requirements stated for each position in Para 3.5.3. The data on their experience should be supplied on separate sheets using one Form for each candidate (Application Form A-6) along with **CVs of candidates**.

1.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
2.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
3.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
4.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
5.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
6.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate
7.	Title of Position
	Name of Prime Candidate
	Name of Alternate Candidate

Candidate Summary

Name of Applicant

Position		
Candidate Information	1. Name of Candidate	2. Date of Birth
	3. Professional Qualification	
Present Employment	4. Name of Employer	
	Address of Employer	
	Telephone	Contact (Manager / Personnel Officer)
	Fax	Telex
	Job Title of Candidate	Years with Present Employer

Summarize professional experience in reserve chronological order. Indicate particular technical and managerial experience relevant to the Project.

Month / Date / Year		Company / Project / Position / Relevant Technical and Management Experience
From	To	

Equipment Capabilities

Name of Applicant

The Applicant shall provide adequate information to demonstrate clearly that he has the capability to meet the requirements for each and all items of equipment listed in the instructions to Applicants. A separate Form shall be prepared for each item of equipment listed in Para 3.5.4.

Item of Equipment		
Equipment Information	1. Name of Manufacturer	2. Model and Power Rating
	3. Capacity	4. Year of Manufacture
Current Status	5. Current Location	
	6. Details of Current Commitments	
Source	7. Indicate Source of the Equipment <input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased	

Omit the following information if it is owned by the Applicant or partner.

Owner	8. Name of Owner	
	9. Address of Owner	
	Telephone	Contact Name and Title
	Fax	Telex
Agreement	Details of Rental / Lease Specific to the Project	

Application Form A-8

Page ____ of ____ Pages

Additional Information

<i>Name of Applicant</i>

Additional Information

1. Integrity Pact should be attached as Application **Form A-9** duly signed and stamped.
2. Any other pertinent information in support of this prequalification should also be furnished.

Disqualification of Supplier and Contractors

“The Employer **may** disqualify a supplier or contractor if it finds, at any time, that the information submitted by his concerning his qualification as supplier or contractor 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 Pakistan or any administrative subdivision or agency thereof or any other entity owned or controlled by it (GoP) through any corrupt business practice.

Without limiting the generally 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 GoP 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 GoP under any law, contract or other instrument, be avoidable at the option of GoP.

Notwithstanding any rights and remedies exercised by GoP in this regard, [the Seller / Supplier / Contractor] agrees to indemnify GoP for any loss or damage incurred by it on account of its corrupt business practices and further pay compensation to GoP 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 GoP.

Name of Employer Name of Applicant

Signature Signature

Seal Seal

