

5.



DIAMER BASHA DEVELOPMENT COMPANY (PVT) LTD.

Tel: 042-99201572
Fax: 042-99201059
Email: cedbdo@gmail.com

Liaison Office
Diamer Basha Development
Company (Pvt) Limited
B-22, WAPDA House, Lahore.

No. DBDC/W- 13.6 /W-69/4494-98

Dated 29 / 07 / 2021

→ Director General

Public Procurement Regulatory Authority
1st Floor FBC Building near State Bank of Pakistan
Sector G-5/2, Islamabad
Phone: 051-9205728-26

**Subject: PROCUREMENT OF CONTRACT MW-1: DAM PART (CIVIL WORKS)
AND TANGIR HYDROPOWER WORKS**

CONTRACT AWARD PROFORMA – I & II

Please find attached duly filled Contract Award Proforma I & II pertaining to the procurement of subject contract for uploading on PPRA website at the earliest, please.

It is also confirmed that funds are available for the publication of this Evaluation Report.

DA/Contract Award Proforma I & II


General Manager /PD (DBDP)

C.C

1. Member (Water), WAPDA, Lahore
2. GM(CCC), WAPDA, Lahore w.r.t your letter No. CCC-5008/779-82 dated 24.06.2021
3. Addl. DG (PR), please ensure the publication on PPRA website at the earliest please.
4. Mr. Muhammad Shakeel Anjum, Focal person PMDU

PUBLIC PROCUREMENT REGULATORY
AUTHORITY (PPRA)

CONTRACT AWARD PROFORMA – I

To Be Filled And Uploaded on PPRA Website In Respect of All
Public Contracts of Works, Services and Goods Worth Fifty
Million or More

- NAME OF THE ORGANIZATION/DEPTT (**DIAMER BASHA DEVELOPMENT COMPANY (PVT.) LIMITED**)
- FEDERAL / PROVINCIAL GOVT. (**FEDERAL GOVERNMENT**)
- TITLE OF CONTRACT (**MW-1 : DIAMER BASHA DAM PROJECT – CONSTRUCTION OF DAM PART (CIVIL WORKS) AND TANGIR HYDROPOWER WORKS**)
- TENDER NUMBER PRD (L) 455 (18)
- BRIEF DESCRIPTION OF CONTRACT MW-1. (**Contract consists of Main Dam and Appurtenant Structures including river diversion works (tunnels), two coffer dams, Roller Compacted Concrete (RCC) Dam having spillway & outlets within body of dam, permanent access bridge, power intakes, waterways (tunnels) for right bank power house (upto 100 metres) and left bank power house (upto 230 metres), flushing tunnels on left bank, and Tangir Hydropower Works**)
- TENDER VALUE (**Eq. PKR 361,957,786,420/- excluding Provisional Sum and Contingencies of Eq. PKR 80,445,000,000/-**)
- ENGINEER'S ESTIMATE (**Eq. PKR 419,387,907,048/-**)
(for civil Works only)
- ESTIMATED COMPLETION PERIOD (**3,104 DAYS**)
- WHETHER THE PROCUREMENT WAS INCLUDED IN ANNUAL PROCUREMENT PLAN? (**YES**)
- ADVERTISEMENT :

(i) PPRA Website (**YES**) Tender number (TS392265E) Dated: 03-06-2019

- (ii) News Papers **(YES)** News papers name (Dawn, The News, Daily Times, The Jang, Nawa-i-Waqt) Dated 02.06.2019

➤ TENDER OPENED ON (DATE & TIME)

- a) **Technical Bid Opened on (August 21, 2019); 11:30 Hours**
b) **Financial Bid Opened on (January 20, 2020); 11:00 Hours**

➤ NATURE OF PURCHASE **(INTERNATIONAL)**

➤ EXTENSION IN DUE DATE (If any) **(Yes)** 20 days extension was granted on the request of various prospective bidders keeping in view the healthy competition

➤ NUMBER OF TENDER DOCUMENTS SOLD **(TWENTY SIX, 26)**
(Annex-I)

➤ WHETHER QUALIFICATION CRITERIA
WAS INCLUDED IN BIDDING/TENDER DOCUMENTS **(YES)**
(Copy enclosed for Eligibility and Qualification Criteria as Annex-II)

➤ WHETHER BID EVALUATION CRITERIA
WAS INCLUDED IN BIDDING/TENDER DOCUMENTS **(YES)**
(Copy enclosed for Eligibility and Qualification Criteria as Annex-II)

➤

➤ WHICH METHOD OF PROCUREMENT WAS USED: - (Tick one)

- a) SINGLE STAGE – ONE ENVELOPE PROCEDURE _____ ☐
- b) SINGLE STAGE - TWO ENVELOPE PROCEDURE. **(YES)** ☒
- c) TWO STAGE BIDDING PROCEDURE. _____ ☐
- d) TWO STAGE – TWO ENVELOPE BIDDING PROCEDURE. _____ ☐

- PLEASE SPECIFY IF ANY OTHER METHOD OF PROCUREMENT WAS ADOPTED WITH BRIEF REASONS (i.e EMERGENCY, DIRECT CONTRACTING, NEGOTIATED TENDERING ETC.) **(NONE)**
- WHO IS THE APPROVING AUTHORITY

DIAMER BASHA DEVELOPMENT COMPANY PVT. LTD.

➤ WHETHER APPROVAL OF COMPETENT AUTHORITY WAS OBTAINED FOR USING A METHOD OTHER THAN OPEN COMPETITIVE BIDDING.
(NOT APPLICABLE)

➤ NUMBER OF BIDS RECEIVED **(TWO, 02)**

- WHETHER THE SUCCESSFUL BIDDER WAS LOWEST BIDDER **(YES)**
- WHETHER INTEGRITY PACT WAS SIGNED **(YES)**

PUBLIC PROCUREMENT REGULATORY
AUTHORITY (PPRA)

CONTRACT AWARD PROFORMA – II

To Be Filled And Uploaded on PPRA Website In Respect of All
Public Contracts of Works, Services & Goods Worth Fifty
Million Rupees or More

- NUMBER OF BIDDERS PRESENT AT THE TIME OF OPENING OF BIDS **Technical Bid-02, Financial Bid-01**

- NAME AND ADDRESS OF THE SUCCESSFUL BIDDER
POWER CHINA – FWO J.V
House # 18, Street # 56, F-7/4, Islamabad Pakistan.

- RANKING OF SUCCESSFUL BIDDER IN EVALUATION REPORT (i.e. 1st, 2nd, 3rd EVALUATED BID).
Single Bidder Qualified for Opening of Financial Bid.

- NEED ANALYSIS (Why the procurement was necessary?) **To overcome energy shortfall by providing low-cost energy and to enhance the water storage capacity of Pakistan**

- IN CASE EXTENSION WAS MADE IN RESPONSE TIME, WHAT WERE THE REASONS (Briefly describe) **20 Days Extension Was Granted On The Requested Of Various Prospective Bidders Keeping In View The Healthy Competition.**

- WHETHER NAMES OF THE BIDDERS AND THEIR PRICES WERE READ OUT AT THE TIME OF OPENING OF BIDS **YES**
- DATE OF CONTRACT SIGNING May 13, 2020.
(Annex-III)
- CONTRACT AWARD PRICE (Eq. PKR 361,957,786,420/- excluding Provisional Sum and Contingencies of Eq. PKR 80,445,000,000/-)
- WHETHER COPY OF EVALUATION REPORT GIVEN TO ALL BIDDERS Yes. Technical Evaluation Report was Updated on PPRA Web Site.
(Annex-IV)
- ANY COMPLAINTS RECEIVED **NO**
(If yes result thereof)

- ANY DEVIATION FROM SPECIFICATIONS GIVEN IN THE TENDER NOTICE/DOCUMENTS **NO**
(If yes give details)
- DEVIATION FROM QUALIFICATION CRITERIA **NO**
(If yes give details)

- SPECIAL CONDITIONS, IF Any
(Give Brief Description)
NO

[F.No.2/1/2008PPRA-RA.III]

General Manager
Diamer Basha Dam Projects
WAPDA, Chilas

DIAMER BASHA DAM PROJECT
CONTRACT MW-1 : DAM PART (CIVIL WORKS) AND TANGIR HYDROPOWER WORKS
LIST OF FIRMS PURCHASED THE BIDDING DOCUMENTS

NIT Published 02.06.2019

Sr. No.	Firms	Date of Issuance
Foreign Firms		
1.	Power Construction Corporation of China, Ltd., China	03.06.2019
2.	China Gezhouba Group Company Limited, China	03.06.2019
3.	Salini Impregilo, Italy	03.06.2019
4.	China Railway 16 th Bureau Group Co., Ltd., China	10.06.2019
5.	SEPCO1 Electric Power Construction Corporation, China	12.06.2019
6.	China Railway Construction Corporation (International) Ltd., China	12.06.2019
7.	China Road and Bridge Corporation (Pakistan), China	12.06.2019
8.	Limak Construction Industry and Trade Inc., Turkey	12.06.2019
9.	Limak Construction Industry and Trade Inc., Turkey (J.V)	14.06.2019
10.	China Railway 20 Bureau Group Corporation, China	17.06.2019
11.	China Machinery Engineering Corporation, China	24.07.2019
12.	China National Electric Engineering CO, Ltd.	09.08.2019
Local Firms		
1.	Habib Rafique (Pvt.) Ltd., Pakistan	03.06.2019
2.	Descon Engineering Limited, Pakistan	10.06.2019
3.	Frontier Works Organization, Pakistan	10.06.2019
4.	Sultan Mahmood & Company, Pakistan	11.06.2019

Sr. No.	Firms	Date of Issuance
5.	Ghulam Rasool and Company (Pvt.) Ltd., Pakistan	11.06.2019
6.	Izhar Construction (Pvt.) Ltd., Pakistan	11.06.2019
7.	Saadullah Khan & Brothers, Pakistan	12.06.2019
8.	Maqbool Associates (Pvt.) Ltd. – CH. A. Latif & Sons (Pvt) Ltd. (J.V), Pakistan	13.06.2019
9.	Zahir Khan & Brothers, Pakistan	14.06.2019
10.	Zahir Khan & Brothers, Pakistan (J.V), Pakistan	14.06.2019
11.	SPARCO Construction Company, Pakistan	17.06.2019
12.	Al-Noor Builders & Construction Hub (Pvt.) Ltd., Pakistan	19.06.2019
13.	National Logistics Cell Engineers	21.06.2019
14.	METRACON Pakistan (Pvt) Ltd.	19.07.2019

Section 3: Eligibility and Qualification Criteria

Annexure-I

1. General

This Section contains Eligibility and Qualification Criteria that the Employer shall use to evaluate bids and qualify Bidders in accordance with Clauses IB.26 of Instructions to Bidders read in conjunction with Bidding Data. The Bidder shall provide all the information requested in the relevant forms contained in Bidder's Qualification Forms provided hereof.

The information provided in the forms shall be substantiated with valid documentary evidences otherwise the requirement will not be considered as complied.

2. Criteria

Eligibility and Qualification Criteria described here below must be met by the legal entity(ies) comprising the Bidder. However, the Parent Company can use the qualifications of its subsidiaries to fulfill the Criteria subject to the conditions i) submission of Subsidiary Guarantee from such subsidiaries on the prescribed form provided in Appendix-S to Bid; ii) the Parent Company shall have owned at least 80% shares of such subsidiaries for last three years; and iii) submission of valid documentary evidences for condition stated at ii) above inter alia audited consolidated financial statements of the Parent Company for the last three years. Whereas Subsidiaries/Affiliates cannot use the qualifications of their Parent Company.

2.1 Eligibility

Criteria		Compliance Requirements			Documents
Requirement	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	

2.1.1 PEC Licencing

Licencing by Pakistan Engineering Council (PEC) in accordance with paragraph (a) of Sub-Clause 3.1 of Bidding Data.	must meet requirement	not applicable	must meet requirement	not applicable	Provisional/ Standard PEC Licence. In case validity of licence has expired, application for renewal of licence along with fee receipt shall also be submitted.
---	-----------------------	----------------	-----------------------	----------------	--

2.1.2 Joint Venture

Requirement of participation of a foreign firm in this bidding as a JV with share of the Pakistani firm(s) not less than 30% as described in paragraph (b) of Sub-Clause 3.1 of Bidding Data.	not applicable	must meet requirement	not applicable	not applicable	Joint Venture Agreement
---	----------------	-----------------------	----------------	----------------	-------------------------

2.4 Financial Situation

Criteria		Compliance Requirements				Documents
Requirement		Single Entity	Joint Venture			Submission Requirements
			All Partners Combined	Each Partner	One Partner	

2.4.1 Historical Financial Performance

Submission of separate yearly audited financial statements for the last five (05) years to demonstrate the current soundness of the Bidder's (legal entity) financial position and its prospective long-term profitability. As a minimum, 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
---	-----------------------	----------------	-----------------------	----------------	-------------------------------

2.4.2 Average Annual Construction Turnover

Minimum average annual construction turnover of US\$ 250 million (US\$ two hundred fifty million) calculated as total certified payments received for contracts in progress or completed, within the last five (5) years.	must meet requirement	must meet requirement	must meet not less than 10% of the requirement	Lead Partner must meet at least fifty percent (50%) of the requirement	Form FIN – 2 with attachments
---	-----------------------	-----------------------	--	--	-------------------------------

2.4.3 Financial Resources

The Bidder must demonstrate access to, or availability of, financial resources such as liquid assets (Cash & Bank balances and marketable securities only), unencumbered real assets, lines of credit, and other financial means, other than any contractual advance payments to meet: (a) the cash flow requirements of US\$ 100 million (US\$ one hundred million) for this contract; (b) the overall cash flow requirements for this contract and his current works commitment.	must meet requirement	must meet requirement	not applicable	not applicable	Form FIR-1 Form FIR-2 with attachments
--	-----------------------	-----------------------	----------------	----------------	---

2.5.2 Construction Experience in Key Activities

Criteria Requirement	Compliance Requirements				Documents
	Single Entity	Joint Venture			Submission Requirements
		All Partners Combined	Each Partner	One Partner	
For the above or other contracts executed during the last twenty (20) years, a minimum construction experience (as a single entity, JV partner or subcontractor) in the following key activities:					
1) Gravity Dam, the Roller Compacted Concrete placing of volume of 5 million m ³ (cubic meter) having rate of 100,000 m ³ per month for a dam height of more than 80 m (meter).	must meet requirement	must meet requirement	not applicable	not applicable	Form EXP-2 with attachments
2) Large scale construction pit excavation for a dam and hydropower Project of an approx. volume of 2.5 million m ³ at the rate of 100,000 m ³ per month.	must meet requirement	not applicable	not applicable	must meet requirement	Form EXP-2 with attachments
3) Open cut rock excavation of an approx. volume of 5 million m ³ at the rate of 100,000 m ³ per month.	must meet requirement	not applicable	not applicable	must meet requirement	Form EXP-2 with attachments
4) Tunnel having dia equal or greater than 8 m and length 1.0 km.	must meet requirement	not applicable	not applicable	must meet requirement	Form EXP-2 with attachments
5) Gated Spillway having design discharge of 5,000 cumecs.	must meet requirement	not applicable	not applicable	must meet requirement	Form EXP-2 with attachments
6) Low Level Outlets having minimum dia of 3 m and discharge capacity of 2500 cumecs.	must meet requirement	not applicable	not applicable	must meet requirement	Form EXP-2 with attachments

CONTRACT AGREEMENT

THIS CONTRACT AGREEMENT (hereinafter called the "Agreement") made on the 13th day of May 2020 between Diamer Basha Development Company (Pvt.) Limited (hereafter called the "Employer") of the one part and M/s PowerChina-FWO (J.V) (hereafter called the "Contractor") of the other part.

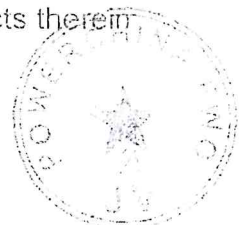
WHEREAS the Employer is desirous that certain Works, viz Contract MW-1: Dam Part (Civil Works) and Tangir Hydropower Works should be executed by the Contractor and has accepted a Bid by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

Now this agreement witnesseth as follows:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents after incorporating addenda, except those parts relating to Instructions to Bidders, in the order of priority shall be deemed to form and be read and construed as part of this Agreement, viz:
 - (a) The Contract Agreement;
 - (b) The Letter of Acceptance;
 - (i) Minutes of the Meetings held on 08th, 10th & 13th February, 2020
 - (ii) Minutes of Meeting held on 11th March, 2020
 - (iii) Minutes of Meeting held on 04th May, 2020
 - (iv) The Contractor's Letter of Voluntary Discount, dated 12th Feb, 2020
 - (c) The completed Forms of Bid (Form of Technical Bid and Form of Price Bid);
 - (d) Special Stipulations (Appendix-A to Bid);
 - (e) The Particular Conditions of Contract – Part II;
 - (f) The General Conditions of Contract – Part I;
 - (g) The Specifications – Special Provisions;
 - (h) The Specifications – Technical Specifications
 - (i) The Drawings;
 - (j) The completed Appendices to Bid (B, C, E to S);
 - (k) The priced Bill of Quantities (Appendix-D to Bid);
 - (l) Performance Security;
 - (m) Joint Venture Agreement; and
 - (n) Power of Attorney of the Authorized Representative of the Contractor.
3. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the Works and remedy defects therein in conformity and in all respects with the provisions of the Contract.

[Handwritten signature]

 Authorized Representative of the Contractor



4. The Employer hereby covenants to pay the Contractor, in consideration of the execution and completion of the Works as per provisions of the Contract, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed on the day, month and year first before written in accordance with their respective laws.

Signature of the Contactor

Yang Jianduo
Authorized Representative
PowerChina-FWO (JV)



Signed, Sealed and Delivered in the presence of:

Witness:

[Signature] SC

(Name, Title and Address)

COL AFTAB AZIZ
DIRECTOR PLANS
FWO
HQ FWO, RAWALPINDI

Signature of Employer

Amir Bashir Chaudhry
Chief Executive Officer/GM/PD
Diamer Basha Development
Company (Pvt.) Limited

Witness:

[Signature]
(JAWAD AKHTAR LATIF)
C/M (CCC) WAPDA

(Name, Title and Address)

EVALUATION REPORT

(As Per Rule 35 of PP Rules, 2004)

Annex-IV

1	Name of Procuring Agency:	Diamer Basha Development Company (Pvt.) Ltd. (DBDC)
2	Method of Procurement:	International Competitive Bidding (Single Stage-Two Envelope Bidding Procedure)
3	Title of Procurement:	Contract MW-1 : Construction of Main Dam (Civil Works) and Tangir Hydropower Works
4	Tender Inquiry No.:	PRD(L)455(18)
5	PPRA Ref. No. (TSE):	TS392265E
6	Date & Time of Submission:	August 21, 2019 ; 11:00 Hours
7	Date & Time of Technical Bid Opening:	August 21, 2019 ; 11:30 Hours
8	Date & Time of Financial Bid Opening:	January 20, 2020; 11:00 Hours
9	No of Bids Received:	02
10	Criteria for Bid Evaluation:	Criteria of Bid Evaluation is attached as Annex-I
11	Details of Bid Evaluation	As mentioned below

Name of Bidder	Marks		Evaluated Cost	Rule/Regulation/SBD*/ Policy/ Basis for Rejection / Acceptance as per Rule 35 of PP Rules, 2004.
	Technical If Applicable	Financial If Applicable		
CGGC-GRC JV	Non- Responsive	Unopened	-	i) Failed to qualify under sub-clause 2.5.2 of Eligibility and Qualification Criteria.
POWERCHINA -FWO JV	Substantially Responsive	Responsive	Eq. PKR 361,957,786,420/- Excluding Provisional Sum and Contingencies of Eq. PKR 80,445,000,000/-	Accepted as per rules

Lowest Evaluated Bidder: M/s PowerChina-FWO (JV)

11. Any other additional / supporting information, the procuring agency may like to share.


Chief Executive Officer
Diamer Basha Dam Development Company (Pvt.) Ltd.

* Standard Bidding Documents (SBD)