

## EVALUATION REPORT

(As Per Rules 35 of PP Rules, 2004)

1. Name of Procuring Agency: Sindh Infrastructure Development Company Ltd. (SIDCL).  
Ministry of Planning, Development & Special Initiatives, Government of Pakistan.
2. Method of Procurement: Single-Stage Single Envelop under Rule 36(b) Public Procurement Rules 2004  
Procurement Rules 2004
3. Title of Procurement: **HIRING OF LAW FIRM FOR ADVISORY AND REPRESENTATION OF SIDCL**
4. Tender Inquiry No. **HIRING OF LAW FIRM FOR ADVISORY AND REPRESENTATION OF SIDCL**
5. PPRA Ref. No (TSE): **TS532856E**
6. Date & Time of Bid Closing: 18<sup>th</sup> March, 2024 at 1100 Hrs
7. Date & Time of Bid Opening: 18<sup>th</sup> March, 2024 at 1130 Hrs
8. No. of Bids Received' Three (03)
9. Criteria for Bid Evaluation. Evaluation criteria already provided in the bidding documents. Evaluation criterion is attached in **Annex - A** for reference.
10. Details of Bid(s) Evaluation: All bidders downloaded Tender Documents from the website of SIDCL. Three bidders submitted sealed bids as per the RFP.

### **The bidders who submitted sealed bids on the closing date**

1. M/s. Set in Motion
2. M/s. Nawaz Hussain Sikander
3. M/s. Liaquat Merchant Associates

*Handwritten signature*



## The Qualified Bidders: All Bidders Qualify Technically

Bidders Name	TS	Weightage (St=0.7)	Weighted Technical Score	Financial Quoted Price	Evaluated Price	FS=100*Fm/F	Weightage (Sf=0.3)	Weighted Financial Score	Combined Score	Rank
M/s. Set in Motion	78	70%	54.60	4,500,000	4,500,000	100	30%	30	84.60	1 <sup>st</sup>
M/s. Nawaz Hussain Sikander	80	70%	56.00	10,400,000	10,400,000	43.27	30%	12.98	68.98	3 <sup>rd</sup>
M/s. Liaquat Merchant Associates	95	70%	66.50	9,750,000	9,750,000	46.15	30%	13.85	80.35	2 <sup>nd</sup>

### Most Advantageous Bidder: M/s. Set in Motion

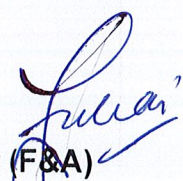
11, Any other additional/supporting information the procuring agency may like to share:

On the recommendation of the Bid Evaluation Committee, SIDCL, Procurement Committee of Board of Directors (BOD) recommended the evaluation to the Board of Directors (BOD) SIDCL for consideration.

Board of Directors (BOD) SIDCL, in its 46<sup>th</sup> Meeting held on 14.06.2024, approved the Final Evaluation Report, and allowed the management to hoist the Bid Evaluation Report to PPRA website and enter into contract negotiations with the Lowest Evaluated Bidders / Most Advantageous Bidder.

  
Manager Contract Procurement

  
Company Secretary

  
General Manager (F&A)

Company Secretary  
Sindh Infrastructure Development Co. Ltd.  
(Formerly KIDCL)  
Government of Pakistan  
Official Stamp.....

General Manager F&A/CFO  
Sindh Infrastructure Development Co Ltd  
Government of Pakistan

Official Stamp.....

# **Annexure-A**

**Technical**

**Evaluation**

**Criteria**



## DATA SHEET

ITA Clause	Description of the Clause
1.1	The name of the assignment is: <b>Hiring of Law Firm for Advisory and Representation of SIDCL</b> The procuring agency is Sindh Infrastructure Development Co. Ltd.
1.2	As per Appendix A ( <i>Terms of Reference</i> )
1.3	Attention: <b>Chief Executive Officer</b> Sindh Infrastructure Development Company Limited 6 <sup>th</sup> Floor, Extension Block, Bahria Complex IV, Karachi, Pakistan Email: info@sidcl.com.pk Website: https://sidcl.com.pk Tel: 021-35155101 Fax: 021-35155102
1.7	<b>Minimum Requirements:</b>  A Law Firm shall be considered non-responsive and financial proposal of such bidder shall not be opened, if the Law Firm does not meet the following minimum criteria: i Scores less than seventy (70) marks in technical (Legal Services Proposal) evaluation;  ii If the law firm fails to provide the following details: a) At least One partner with a practicing license of the Supreme Court and at least One partner with a practising license of the High Court. b) Copy of valid practising license as an Advocate (nominated team members) High Court; c) At least 20 years' legal practice experience of the High Court dealing in Civil, Labor/Industrial Laws, Land Acquisition Acts, Service Matters, Arbitration Transfer of Property, Corporate and knowledge about FIDIC, PPRA, SPPRA clauses of Contract etc. of at least one (1) partner of the law firm; d) Affidavit on Rs. 500 legal paper value [duly attested from an Oath Commissioner or Magistrate 1st Class] that upon appointment the number of Companies of which he/she serves as a legal advisor does not exceed 3 companies. e) Copy of valid CNIC's (nominated team members)



	<p>iii If the Law Firm fails to provide the following documents:</p> <p>a) Profile of the Law Firm;</p> <p>b) An Affidavit duly signed and stamped by any partner of a law firm or an authorized representative of the Adviser (attached as <b>Form A</b>);</p> <p>c) All pages of the original technical (Legal Services Proposal) and financial proposals shall be numbered in ascending order, be initialed, properly binding and stamped by an authorized representative of the law firm. The authorization shall be in the form of a written power of attorney (attached as <b>Form B</b>);</p> <p>d) Integrity pact pursuant to Section 10 (attached as <b>Form C</b>).</p>
3.1	<p>Required documents include:</p> <ol style="list-style-type: none"> <li>1. Filled technical (Legal Services Proposal) and financial forms set out in <b>Appendix D (Bid Forms)</b></li> <li>2. NTN certificate (in the name of Law Firm)</li> <li>3. CVs of team members</li> </ol>
4.1	<p><b>Address for submission of bid:</b>  Chief Executive Officer  Sindh Infrastructure Development Company Limited  6<sup>th</sup> Floor, Extension Block, Bahria Complex IV, Karachi, Pakistan  Email: info@sidcl.com.pk  Website: https://sidcl.com.pk  Tel: 021-35155101  Fax: 021-35155102</p>
5	<p><b>Bid Security</b>  Not required</p>
6.1	<p><b>Address for Opening of Bids:</b>  Sindh Infrastructure Development Company Limited  6<sup>th</sup> Floor, Extension Block, Bahria Complex IV, Gizri, Karachi, Pakistan</p>





6.5  
and  
6.8**Technical (Legal Advisory Services Proposal) Evaluation**

Sr. No.	Category	Marks
1	Qualification of the Law Firm	30
2	Experience (General) of the Law Firm	30
3	Experience (Specific) of the Law Firm	40
<b>Total</b>		<b>100</b>

S No.	Description	Marks	Documents Required
<b>1</b>	<b>Qualification</b>		
1.1	Advocates Supreme Court of Pakistan with minimum Five years of experience at Supreme Court Level.  One Advocate= 5  Two Advocates= 10	10	Documentary evidence required
1.2	Advocates of at least Seven years relevant experience of High Court in Pakistan.  One Advocate= 5  Two Advocates= 10	10	Documentary evidence required
1.3	Financial Strength of the firm  Annual Average Turnover Last Three Years above 10 million    5 Marks  Annual Average Turnover Last Three Years 5.0 to 10 million    3 Marks  Below 5 million            0 Mark	5	Documentary evidence required
1.4	The Legal Firm has established an office in Karachi, Pakistan.	5	Documentary evidence Required



<b>2 General Experience</b>			
2.1	Experience in Providing Legal Consultancy to the Federal or Provincial Department/ Autonomous bodies/ Public Sector Companies during the last 10 years.  05 marks for each client up to a maximum of 15 marks.	15	Documentary evidence required
2.2	Experience in Providing Legal Consultancy to Private Sector Companies during the last 10 years.  03 marks for each client up to a maximum of 15 marks.	15	Documentary evidence required
<b>3 Specific Experience</b>			
3.1	Experience in advising/defending cases of construction and public procurement sector (in high court or above).  10 years                      20 marks 5 years                        10 Marks Below 5 years              0 Mark	20	Documentary evidence required
3.2	Experience in advising on all corporate, and regulatory including FIDIC, PPRA, SPRRA and related matters as well as intellectual property issues.  8 Clients                      20 Marks 6 Clients                      15 Marks 4 Clients                      10 Marks Below 4 Clients            0 Mark	20	Documentary evidence required
<b>Total Marks</b>		<b>100</b>	

The minimum technical (Legal Services Proposal) score required to pass is **70 Marks** out of 100.

The evaluation of technical (Legal Services Proposal) and financial proposals shall be held under the QCBS method. The total score of technical (Legal Services Proposal) and financial evaluation shall be 100, out of which 70% weightage shall be for technical (Legal Services Proposal) and the remaining 30% weightage shall be for financial.





	<p>The technical proposals (Legal Services Proposal) will be evaluated on the basis of a legal firm's relevant experience, understanding of assignment, and the experience of professional staff. Only those legal firms whose technical proposals (Legal Services Proposal) score 70 marks or more shall qualify for further consideration and shall be ranked from highest to lowest on basis of their technical (Legal Services Proposal) score. Financial proposals of those legal firms who secure less than 70 marks shall be returned un-opened to the legal firm, at the time as may be specified by SIDCL.</p> <p>The technical proposals (Legal Services Proposal) shall be assigned marks/ score without weightage on the basis of the criteria.</p> <p>70% = Technical (Legal Services Proposal)</p> <p>30% = Financial</p> <p>Law firm offering the lowest price would be awarded a score of 100. Rest of the legal firms would be awarded a lower score proportionately in accordance with their quoted price.</p>
6.9 and 6.10	<p><b><u>Financial Evaluation</u></b></p> <p>The fee for providing advisory services shall be quoted inclusive of all applicable taxes in Pakistan in the financial proposal.</p> <p>The formula for determining the financial score is the following:</p> $[SF=100 \times Fm / F]$ <p>Where, Sf is the financial score; Fm is the lowest price and F the price of the bid under consideration.</p> <p><b><u>Combined Score</u></b></p> <p>The law firm getting maximum marks on 70-30 weightage (70% for technical and 30% for financial) shall be selected as the successful legal firm. The weights given to the technical (T) and financial proposals (F) are: T = 0.70 and F = 0.30 respectively. The formula for calculating the combined score is the following:</p> <p><b>Combined Score = TS*S<sub>t</sub> + FS*S<sub>f</sub></b></p>





**BASIC ELIGIBILITY CRITERIA**

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**Quality and Cost Based Selection (QCBS)** method in accordance with Procurement Rules read with **Consultancy Regulations** has been adopted for evaluating the bids. A bid received from a law firm, shall only be considered if all the following components (and the relevant requirements of the Bidding Documents) are in order /satisfactory manner:

➤ **CONSTITUTIVE DOCUMENT**

A detailed description of the legal firm including:

- Legal name;
- Complete office contact information, including mailing address, telephone number and e-mail address;
- Certificate of Incorporation or Registration.

Law firms participating in the bidding process should submit certified true copies of their constitutive documents.

➤ **REGISTRATION WITH TAX AUTHORITIES**

The law firm must possess a valid registration certificate from the income tax authority (i.e. the NTN certificate) and relevant sales tax authority, if applicable. Valid certificate(s) (in the name of the Law Firm) and tax returns filed for the last (03) three years are to be attached as are relevant sales certificate, if applicable.

➤ **NO CONFLICT OF INTEREST**

The law firm shall not have a conflict of interest. A law firm found to have a conflict of interest shall be disqualified. SIDCL considers a conflict of interest to be a situation in which a party has interests that could improperly influence that party's performance of official duties or responsibilities, contractual obligations, or compliance with applicable laws and regulations. At the time of the selection process, a law firm may be considered to be in a conflict of interest with one or more parties if it, *inter alia*; participated as an adviser in the preparation on the specifications of this RFP.

➤ **NON-BLACKLISTING**

The law firm shall provide evidence in the form of an affidavit setting out as **Form A** and a declaration of eligibility / non-blacklisting by the Federal or Provincial Government as of the date of submission of the bid.

A law firm that has been blacklisted by any of its employers/clients while providing services in Pakistan, at the date of submission of the bid under the RFP or thereafter, shall not be considered.



➤ UNDERTAKING

Provide a separate undertaking that the information supplied by the firm is correct.

