

Pre-Qualification Document (PQD)

For

**Pre-qualification of Consulting Firms/Companies having expertise in
“Techno-Legal and Contract Management Services”**

GOVERNMENT OF PUNJAB



**DIRECTORATE GENERAL MONITORING & EVALUATION
PLANNING & DEVELOPMENT BOARD**

March, 2022

Note: DGM&E on behalf of the P&D Board has introduced online pre-qualification system to receive online EOI responses from the consulting firms / companies for the FY 2022-23. The firms / companies are advised to submit their responses on the online portal and hard copies of the same duly generated from the online portal must be submitted to the office of DGM&E for further evaluation. Firms / companies are advised that an EOI duly generated from the online portal should be signed, stamped and complete in all aspects as per PQDs and guidelines.

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1. Introduction

In emerging areas to achieve development targets in an efficient and effective manner at a faster pace, Government Departments need capacity building by engaging various Consulting Firms/Companies. Necessary amendments have been made in Punjab PPRA Rules 2014 which enable Planning & Development Board (P&DB) to short-list/pre-qualify Consulting Firms/Companies on yearly basis. In accordance to the instant amendments in PPRA Rules, 2014, all departments of Government of the Punjab may issue Request for Proposal (RFP) directly (without advertisement) to the Consulting Firms/Companies shortlisted by P&D Board to hire services under certain terms and conditions mentioned in Sub-Rules 6-10 of Rule No. 16 of PPRA 2014.

This Prequalification Document (PQD) enlists the criteria for consultancy firm to be shortlisted in below given area/sector as per Sub-Rules 6-10 of Rule No.16 of PPRA 2014.

- i. Legal, Techno-legal & Contract Management
 - a. *Legal*
 - b. *Techno-Legal and Contract Management***

2. Objective

To provide consultancy on managing projects on equitable basis between the contracting parties commensurate with appropriate contracting strategy which ensures timely completion at right costs for desired quality and minimizes disputes in Techno-legal matters. Further to provide project specific services to achieve short-term gains and capacity building of stakeholders to meet long-term objectives.

Preparation of standardized bidding documents, monitoring contract relationship, addressing related problems, incorporating necessary changes or modifications in the contract, ensuring both parties (*the sponsoring and implementing agencies*) meet or exceed each other's expectations, and actively interacting with the contractor to achieve the contract's objective(s)

3. Scope of Work

This scope of work is tentative for prequalification only. The actual scope of work will be provided by the line department at the time of issuing RFP as per actual scope of work. However this prequalification does not guarantee award of work by the line department. The tentative scope of work entails:

To provide the following services to on time to time basis to tackle the urgent and recurrent Techno-Legal and Contract Management needs:

- Develop the solicitation and writing the draft bidding documents.
- Prepare, review, and updating of project specific bidding documents (Prequalification Documents, Request for Quotations, Request for Proposals etc.) for Engineering Procurement and Consultancy (EPC) contracts, Procurement of Goods Works and Services etc. funded by World Bank (WB) / Asian Development Bank (ADB), Provincial Governments, District Government or other related forums, in line with PPRA Rules 2014 and/or WB procurement guidelines and/or ADB procurement guidelines and/or PEC regulations etc.;
- Preparation and vetting of contract documents / T&C of contracts / concession agreements for multiple public sector projects especially EPC projects of energy sector, trade and investment, joint venture/ stakeholders and PPP. Contract administration must be considered during this process;
- On rational grounds guide in resolving contract disputes in a timely manner;
- Define / interpretation of terms or conditions of default;
- Performs any other Techno-Legal and Contract Management services and tasks, as and when assigned.
- Determining contractual risks of the projects.
- Any other relevant task assigned by the Client.

4. Eligibility Criteria

Following are the details on the basis of which Firm will be shortlisted:

i. Pre-Requisite

- a. Valid Registration with the relevant professional body (PEC, Membership with Provincial Bar Council etc.)
- b. Registration with SECP, Registrar of Firms, Chamber of Commerce, or any other body depicting legal status of Firm, Company or organization.
- c. National Tax Registration Number with active taxpayer status.
- d. Undertaking by the firm / company on a legal paper/stamp paper/Letter Head that it is currently not blacklisted by any Federal, Provincial, State or Local Government department and/or by any Government owned Company/ Foundation / Authority.

ii. Firm Experience

Firms should provide information regarding;

- a. Relevant experience in the subject field by submitting the detail of 05 most relevant projects completed in the past (20years) as per **Annex - A.**
- b. Detailed description of the Firm Profile by providing its organizational structure (organogram), list of permanent staff and quality management system.

iii. Human Resource Capacity

- c. List of key personnel having expertise in **Techno-Legal and Contract Management Services** as per **Annex - B.**
- d. CVs of key personnel as per **Annex - C.**
However, the required qualification and experience is as follows;

S. No.	Proposed Position	Required Qualification	Experience
1.	Senior Contract Manager	B.Sc./BS/BE Engineering preferably with Law Degree or M.Sc./MS/M.Phil in Construction & Engineering Management preferably recognized certification in Contract Management	Min 10 years of experience in the relevant field

2.	Contract Manager	B.Sc./BS/BE Engineering Preferably Law degree or M.Sc./MS/M.Phil in Construction & Engineering Management	Min 10 years of experience in the relevant field
3.	Techno-Legal Expert	B.Sc./BS/BE (Electrical or Mechanical or Civil)/ MBA in Finance or equivalent	Min 10 years of experience in the contracts
4.	Legal Expert	Bar at Law/ Masters/ Bachelor Degree in Law	Min 10 years of experience in providing legal services for settlement of dispute resolutions/arbitrations/ Litigations at Government level

Note:

1. Experience after professional qualification shall be considered.
2. 16 years of master shall be considered equivalent to B.Sc./BS/BE (Hons.)

iv. Financial Capabilities

Detail of financial capabilities to be provided as per **Annex- D1 & D2.**

****All documents should be in English.***

*****Any misinformation, false and forged statement will lead to disqualification from being shortlisted/pre-qualified and any other action as per applicable laws.***

******Firms/Companies applying under a joint venture/consortium should submit their documents as a single EOI by clearly indicating the lead firm.***

Criteria, sub-criteria, and point system for the evaluation of Expression of Interest (EOIs) are as follows:

A1	Firm Experience	Points
a)	Number of Assignments (Relevant)*	80
	i. Scope of relevant Assignments	40
	ii. Duration of services provided by the firm in relevant Assignments 1 to less than 6 Months 65% 6 to less than 12 Months 85% 12 Months & above 100%	40

b)	Firm Profile	20
	i. Organizational Structure	10
	ii. List of Permanent Staff	5
	iii. Quality Management System** - In-house Quality Control System 50% Quality control system certified by relevant body i.e. ISO 100%	5
Total A1		100
A2	Human Resource Capacity***	Points
a)	Senior Contract Manager	30
b)	Contract Manager	25
c)	Techno-Legal Expert	25
d)	Legal Expert	20
Total A2		100
A3	Financial Capacity	Points
a)	Cost of the relevant Assignments (in PKR)**** 200 to less than 500 Million 65% 500 to less than 1000 Million 85% 1000 Million & above 100%	75
b)	Annual Turn Over (in PKR)***** 1 – 50 Million 65% Above 50 upto 100 Million 85% More than 100 Million 100%	25
Total A3		100

Score = A1[40%] + A2[40%] + A3[20%]

The minimum score required to be shortlisted is: **65 Points**

* 05 most relevant assignments completed in the past 20 years to be provided. Assignments provided beyond the limit of 05 will be given no weightage. Project/Assignment provided must be supported with the completion certificate / letter of award / work order / contract agreement / final completion report / PC-IV or any other evidence issued by the procuring agency/executing agency of that particular project.

** Quality Management System has to be supported by Quality Management Certificates.

*** 30% weightage shall be given to qualification whereas 70% weightage shall be assigned to experience for each proposed resource given in above table. One resource can only apply in one sub-sector with single firm.

**** Cost of relevant assignments shall be calculated from the cost of projects submitted against 05 most relevant assignments **Annex – D-1**.

*****Annual Turnover under financial capacity should be supported by Authenticated Audit Financial Statements. Annual turnover shall be calculated from the Average annual turnover of last 03 years as per **Annex – D-2**.

Note:

For JV, pre-requisites must be fulfilled by the lead as well as partner firms separately. However, in case of a firm outside Pakistan, registration with relevant professional body and exchange commission will be required of their country of origin. For evaluation, lead firm shall be assigned 60% weightage in each component such as firm experience, human resource capacity and financial capacity and remaining 40% weightage shall be equally assigned to partner firms. One of the joint venture partners shall be nominated as being in charge; and this authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the joint venture partners. A copy of the agreement entered into by the joint venture partners shall be submitted stating the conditions under which it will function, its period of duration, the persons authorized to represent and obligate it and which persons will be directly responsible for due performance of the Contract and can give valid receipts on behalf of the joint venture. No amendments / modifications whatsoever in the joint venture agreement shall be agreed to between the joint venture partners without prior written consent of the Employer.

5. Firm Detail

Firm should provide its detail as per **Annex-E**. In this PQD the word Firm has been used for both Firm and Company.

6. Client Detail

**Directorate General Monitoring&Evaluation,
Planning and Development Board,
Government of Punjab.**

65-Trade Center Block, Ayub Chowk,

Bureau of Statistics Building, 4th & 5th Floor, Johar Town Lahore.

Contact No. 042-99233176-91, Ext. No. 512 & 513

7. EOI Deadline

The Expression of Interest (EOI) will be submitted on the Web Based Prequalification System (WBPS) developed on the website of Directorate General M&E i.e. www.dgmepunjab.gov.pk. Deadline for online submission of EOIs is **20th April 2022** till 04:00 pm. Deadline for submission of hard copies of EOIs (generated from the online portal after submission and each page duly signed and stamped by competent authority of firm/company) is **25th April 2022** till 04:00 pm. However, for Clarification/Coordination,

Directorate General (M&E), P&D Board

Government of Punjab.

**65-Trade Center Block, Ayub Chowk Bureau of Statistics Building, 5th
Floor, Johar Town Lahore.**

Contact No. 042-99233176-91, Ext. No. 512 & 513

Email: info.prequalification@dgmepunjab.gov.pk

Annex-A Firm Experience (Relevant)

S. No	Name of Project	Location (Country/Province /Division)	Client	Project Description	Implementation of Project		Total Cost of Project	Period of services provided by the Consultant		Cost of Consultancy Services Provided by the Firm	Actual Scope of Services Provided by the Consultant
					Start date	Completion date		Start date	Comple tion date		
1											
2											
3											
4											
5											

Note: The firm/company should submit above information through the online portal and hard copies of the same duly generated from the online portal along with required supporting documents as prescribed hereunder must be submitted to the office of DGM&E for further evaluation. Above table (template) is just for reference / guidance.

1. Maximum number of (5) most relevant assignments to be submitted
2. Assignments provided beyond the limit of 5 will be given no weightage.
3. Project/Assignment provided must be supported with the completion certificate / letter of award / work order / contract agreement / final completion report / PC-IV or any other evidence issued by the procuring agency/executing agency of that particular project. Projects completed in last 20 years will be given weightage.
4. Project overheads including transportation cost, office rent, utilities and stationery expenses, cost of support / auxiliary staff for each project to be provided on the Web Based Prequalification System (WBPS).

Annex-B (List of Key Personnel)

S. No.	Name	Qualification	Total Experience in Years	Position Proposed	Current Responsibilities

Note: The firm/company should submit above information through the online portal and hard copies of the same duly generated from the online portal along with required supporting documents as prescribed hereunder must be submitted to the office of DGM&E for further evaluation. Above table (template) is just for reference / guidance.

1. The list of key personnel should be in accordance with proposed positions mentioned in Human Resource Capacity.
2. 30% weightage shall be given to qualification whereas 70% weightage shall be assigned to experience for each proposed resource given in above table.
3. Only one human resource can apply in one sector/sub-sector with single firm against each post. Similarly, one human resource can be quoted/entered by single firm and no other firm can quote/enter that human resource in any sector/sub-sector.
4. It is mandatory for each proposed resource to fulfill minimum eligibility criteria mentioned under section 4 (iii) of this PQD to be qualified for score assignment.
5. Monthly salary of each resource to be provided on the Web Based Prequalification System (WBPS).

Annex-C (CVs of Key Personnel)**CURRICULUM VITAE (CV)**

1. **Name of Personnel:** _____
2. **Current Position in the Firm:** _____
3. **Date of Birth:** _____
4. **Nationality** _____
5. **CNIC No (if Pakistani):** _____ **or Passport No:** _____
6. **Mobile No.** _____
7. **Email Address:** _____
8. **Home Address:** _____
9. **Education:**

Degree	Major/Minor	Institution	Date (MM/YYYY)

10. **Membership of Professional Associations:** _____
11. **Registration no. with relevant Professional Body:** _____
12. **Other Training** [Indicate significant training since degrees under 6 - Education were obtained]:
13. **Languages** [For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing]:
14. **Employment Record** [Starting with present position, list in reverse order every employment held by staff member since graduation, giving for each employment (see format here below):

Employer	Position	From (MM/YYYY)	To (MM/YYYY)

15. Detail of Work Undertaken

Name of assignment or project: _____

Cost of Project _____ Location: _____

Date of Start: _____ Date of Completion: _____

Client: _____ Main project features: _____

Positions held: _____ Activities performed: _____

Actual time spent on the project: _____ in months.

16. Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any willful misstatement described herein may lead to my disqualification or dismissal, if engaged.

_____ Date: _____

[Signature of the proposed staff] Day/Month/Year

_____ Date: _____

[Counter Signature of authorized signatory] Day/Month/Year

Note: The firm/company should submit above information through the online portal and hard copies of the same duly generated from the online portal along with required supporting documents as prescribed hereunder must be submitted to the office of DGM&E for further evaluation.

Financial Capabilities:**Annex-D-1 (Cost of Relevant Assignment)**

S. No	Name of Project	Location (Country/Province/Division)	Client	Project Description	Total Cost of Project	Cost of Consultancy Services Provided by the Firm	Actual Scope of Services Provided by the Consultant
1							
2							
3							
4							
5							

Note: Provide cost of five (5) assignments mentioned under **Annex-A** Firm Experience (Relevant)

Annex-D-2 (Annual Turnover)

Year	Annual turnover
2018-2019	
2019-2020	
2020-2021	

Note: The firm/company should submit above information through the online portal and hard copies of the same duly generated from the online portal alongwith required supporting documents as prescribed hereunder must be submitted to the office of DG M&E for further evaluation. Above table (template) is just for reference / guidance.

1. Data provided under the head of financial capabilities must be supported by the Authenticated Audited Annual Financial Statements.
2. Annual turnover shall be calculated from the Average annual turnover of past 03 years.

Annex-E (Firm Detail)

Legal Name of Firm	Address	Contact No.	Authorized Personnel Name	Authorized Personnel Contact No.
Lead Firm				
Joint Venture Firm(s)				

Note: The firm/company should submit above information through the online portal and hard copies of the same duly generated from the online portal along with required supporting documents as prescribed hereunder must be submitted to the office of DGM&E for further evaluation. Above table (template) is just for reference / guidance.

1. In order to assess JVs, pre-requisites must be fulfilled by the lead as well as partner firms separately.
2. In case of a firm outside Pakistan, registration with relevant professional body and exchange commission will be required of their country of origin.
3. For evaluation, lead firm shall be assigned 60% weightage in each component such as firm experience, human resource capacity and financial capacity and remaining 40% weightage shall be equally assigned to partner firms (if more than one(1) partner firm is involved).
4. One of the joint venture partners shall be nominated as being in charge; and this authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the joint venture partners. A copy of the agreement entered into by the joint venture partners shall be submitted stating the conditions under which it will function, its period of duration, the persons authorized to represent and obligate it and which persons will be directly responsible for due performance of the Contract and can give valid receipts on behalf of the joint venture. No amendments / modifications whatsoever in the joint venture agreement shall be agreed to between the joint venture partners without prior written consent of the Employer.