

Sr. No.	Applicants' Clarifications	Reference	Response
1.	Referring to Section-III (Initial Selection Criteria) of Initial Selection Documents, At Table 1, Section 3.1(ii), it is mentioned that the financial statements of last 3 years are to be submitted by the applicant. However, at Form FIN 3.1, it is mentioned that the financial statements for last 5 years are to be provided. Please clarify	Sub-criteria 3.1 (ii) [Financial Capabilities] of Table-1 [Qualification Criteria] under Section III-Initial Selection Criteria	For the purpose of Criteria 3.1 (ii) [Financial Capabilities] of Table-1 [Qualification Criteria] under Section III [Initial Selection Criteria], it is clarified that the evaluation shall take into consideration last three years performance of the Applicant whereas Applicant shall provide financial statement for last five (05) years pursuant to Form FIN 3.1 and Form FIN 3.2 to comply with other financial situation and performance criteria including criteria 3.2 [Minimum Average Annual Turnover].
2.	Please share Pakistan Engineering Council (PEC) registration requirements for specialized sub-contractor? Additionally, please specify which forms are to be submitted in case of nomination of specialized sub-contractor?	Sub-criteria 4.2.2 [Non Revenue Water Programs] of Table-1 [Qualification Criteria] under Section III-Initial Selection Criteria	According to local requirements all local contractors/subcontractors need to be registered with PEC. For the specialized sub-contractor any requirements as imposed by Applicable Laws including Pakistan Engineering Council Bye-Laws have to be complied as applicable. However for the purpose of submission of Application, no prior registration with Pakistan Engineering Council is required for specialized sub-contractor in case of foreign entity. For the information to be furnished by specialized sub-contractor it is clarified that all requirements are stated in the Initial selection

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			Document including Section IV - Application Forms, to the extent as applicable such as Form ELI-1.2: Applicant's JV Information Form & Form EXP-4.2: Specific Experience among other requirements.
3.	If the Completion certificates, letter of awards, contract agreements or any other document is available in a language other than English. Please clarify if a simple translation of such documents into English is acceptable or all such documents need to be notarized as well?	ITA 10.1 under Section I-Instructions to Applicants & Section II-Initial Selection Data Sheet	Foreign companies will have to provide an official translation of the additional documents, as mentioned in Section I, ITA 10.1. :  "Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified in the ISDS, in which case, for purposes of interpretation of the Application, the translation shall govern."
4.	Please clarify if ongoing projects of similar nature are substantially completed, can also be used to demonstrate relevant experience for initial selection?	Criteria 4.2 [Specific Experience] of Table-1 [Qualification Criteria] under Section III-Initial Selection Criteria & Criteria 1 to 4 of Table-2 [Rated Criteria] under Section III-Initial Selection Criteria	The Criteria Requirement shall remain unchanged. For the purpose of Criteria 4.2 [Specific Experience] of Table-1 [Qualification Criteria] under Section III-Initial Selection Criteria & Criteria 1 to 4 of Table-2 [Rated Criteria] under Section III-Initial Selection Criteria, only successfully completed contracts shall be considered for the evaluation.

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5.	Referring to ITA 4.1, it is mentioned that each partner in Joint Venture must have at least 10% shares. Please clarify if the JV leader's shares can be less than any other partner provided that the leader meets the minimum threshold of 10% OR it is mandatory for the leader to have shares more than all of other partners in JV?	ITA 4.1 under Section II-Initial Selection Data Sheet	The requirements related to Joint Venture Partners sharing, it is clarified that leader's share must be greater than individual shares of the other partners of the Joint Venture. However, for the purpose of submission of Applications, the sharing composition of Joint Venture is not required to be submitted as part of Application for Initial Selection Stage.
6.	Referring to the clauses ITA 4.1, ITA 11.1 d (ii) and Table-1 clause 1.6, regarding registration with tax authorities. For a fresh foreign company that is yet to establish its office in Pakistan, please clarify if said registration with tax authorities is required at this stage or such companies can register with tax authorities at the time of signing of contract agreement, same like PEC registration?	ITA 4.1, ITA 11.1 [d (iv)] under Section II-Initial Selection Data Sheet	For the purpose of submitting the evidence of registration with Tax Authorities required under ITA 4.1, ITA 11.1 [d (ii)] of Section II [Initial Selection Data Sheet], it is clarified that Applicant involving firms having registered office in Pakistan shall provide with its Application the evidence of registration with Tax Authorities.

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7.	Are there any other requirements for the qualification of the design unit except those mentioned at Table-1 Clause 4.2 Specific Experience?	Section III-Initial Selection Criteria	For the purpose of participation in the Initial selection process by any entity either single or a joint venture, it is clarified that such entity must comply with all applicable requirements stated in the Initial selection Document including Section III-Initial Selection Criteria to the extent as specified therein.

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1.	for this criteria, it is mentioned in this part that the Form EXP-4.2(b) should be filled, however, the form is not there, but the Form EXP-4.2(cont.) is there, so whether the information for this criteria should be filled in Form EXP-4.2(cont.) instead of Form EXP-4.2(b), please kindly confirm	Section III-Initial Selection Criteria 6.1 Specific experience in areas with security risks	For the purpose of submission requirements for Criteria 6.1 [Specific experience in areas with security risks] of Table-Qualification Criteria under Section III-Initial Selection Criteria, it is clarified that the Applicant shall provide information including (a) Form EXP-4.2 and (b) for each experience listed, the security plan, as well as proof of the implementation of security measures.
2.	whether the Power of Attorney needs to be notarized or not		ITA 15 doesn't say Power of Attorney has to be the original. A simple copy is sufficient for the Initial Selection.
3.	for the pending litigation of the Requirement mentioned in Section III 2.3 and the Form CON-2, whether is it qualified to only mention the pending litigation between us and the Employer? Cos during the operation of the company, there are some other disputes with other parties in the country of the origin of the company with minor disputes amounts, whether we also need to disclose these disputes?	Section III-Initial Selection Criteria 2.3 Pending Litigation & Form CON-2	For the purpose of submission requirements for Criteria 2.3 [Pending Litigation] of Table-Qualification Criteria under Section III-Initial Selection Criteria, it is clarified that the Applicant shall provide information to the extent as stated in Form CON-2, i.e. all historical contract non-performance and pending litigation with other Employers, regardless of their amount and country, as indicated in the forms. Disputes with parties other than Employers are not relevant to these forms.
4.	for the criteria, considering the requirement as well as the footnote No.6, it is understood that except the Pakistani JV Partner, all other parties need to	Section III-Initial Selection Criteria 6.1-6.5	The Criteria Requirement shall remain unchanged. The Applicant must meet the criteria requirement stipulated under Criteria 6 [Security] of Table-Qualification Criteria under Section III-Initial Selection Criteria. The footnote 6 specify the manner with which the

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	submit the required documents, cos some of the JV Partner out of Pakistan, such as the design institute, they will only come to Pakistan for several times instead of working on site, whether it is allowed that only the leader of the JV submit the related documents for this requirement?		requirement shall be evaluated in case of "each member" of a joint venture including exceptions thereto.

## Tehseen Ahsan

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**From:** Tehseen Ahsan <tehseen.ahsan@outlook.com>  
**Sent:** Tuesday, 18 April 2023 4:31 pm  
**To:** 'Pakistan@cggcintl.com'; 'hewei01@cmech.com'; 'talha.razzaq@descon.com'; 'imran.cheema@descon.com'; 'napin11@gmail.com'; 'shahid.bashir@eliteengineering.com.pk'; 'sudong@powerchina-intl.com'; 'info@sunir.com'; 'ammar@mkengineers.com.pk'; 'pakistanrbc@gmail.com'; 'arif.mahmood@vincipakistan.com'; 'reehaan'; 'mqasimhrl@gmail.com'; 'des@despk.com'  
**Cc:** 'saqib.haral@yahoo.com'; faizanshako0r150@yahoo.com  
**Subject:** Queries of Applicants Dated 17 Apr ,23 -ISD

Dear All,

We have received some more queries from the Applicants regarding the ISD. Client response on the same is shared as under:-

### **Description of Queries :-**

**Query # 01** : Request for Time extension due to following reasons :

- a. Eid Holidays
- b. JV formation

### **Client Response:**

We have received multiple requests from Prospective applicants for extension of deadline for Submission of ISD. In order to give applicants reasonable time to take into account due to upcoming Eid holidays, we hereby extend the initial deadline for submission of applications by four (04) Weeks i.e. 29<sup>th</sup> May 2023

### **Query # 2**

In reference to Table-1 Qualification Criteria- Section 4.1 General Experience, It is mentioned that the applicant must have "Experience in the field of civil/ infrastructure works, in the role of prime contractor or JV member, for at least the last five (5) years, starting 1st January 2018."

Please clarify if a project, for example, is started before 1st January 2018 i.e. in 2017 and completed after 1st January 2018 i.e. 2021. Can this project be used in Form 4.1 to demonstrate the above experience?

**Client Response:**

For the purpose of Criteria 4.1 [General Experience] of Table-1 [Qualification Criteria] under Section III [Initial Selection Criteria], it is clarified that the criteria requirement specify the general experience to cover the period from 1st January 2018 onward, irrespective of the commencement date of any contract.

**Query # 3**

In reference to Table 1, Clause 4.2.3 Experience of FIDIC Form of Contract: Minimum of two (2) satisfactorily completed works contracts according to FIDIC Yellow (1999/2017), Silver (1999/2017) or Gold Book (DBO) are required. Please clarify if the FIDIC contracts of waste water treatment plants can be used to demonstrate the said experience?

**Client Response:**

Please note that the experience of FIDIC Form of Contract as mentioned in Table 1, Clause 4.2.3 will be counted as below ;  
“The two required satisfactorily completed works contracts according to FIDIC Yellow (1999/2017), Silver (1999/2017) or Gold Book (DBO) refer to water treatment or wastewater treatment plants works only”

**Query # 4**

Please refer to the qualification criteria § 4.2.4 Contracts for Operation of Plant, to meet specific experience requirements of this clause, may we nominate a specialist subcontractor who meets requisite criteria for O & M contracts?

Will the said specific experience of nominated subcontractor in initial selection works, if accepted, will be valid in the next prequalification among 5 selected firms?

**Client Response:**

Client approves nomination of Specialized sub-contractor for O&M part and consideration of specialized sub-contractor experience for O&M part as well.