

**MINUTES OF THE MEETING**

**Subject: Pre-Bid meeting for the selection of the consultants for the project “Establishment of Women Sub-Campus at Batkhela, University of Malakand”.**

In pursuance of Directorate of Works Notification No. UOM/Works/22/558 dated 28/11/2022, a meeting of the committee was called vide letter No. UOM/Works/22/561 dated: 28/11/2022, on subject matter, held on 30/11/2022 at 11:00 AM in the Committee Room, University of Malakand. The following attended the meeting:

- |   |                  |
|---|------------------|
| 1. Prof. Dr. Jamil Ahmad, Chairman, Department of Computer Science/IT | Convener         |
| 2. Engr. Sardar Asghar, Director Works, UET Peshawar                  | Member           |
| 3. Director P&D-UOM   | Member           |
| 4. Deputy Director work-UOM   | Member           |
| 5. Deputy Director Finance (R)-UOM                                    | Member           |
| 6. Mr. Noman Nigah, Assistant Engineer, UET Peshawar                  | Co-opted Member  |
| 7. Engr. Rizwan Ullah Khan, Assistant Director Works-UOM              | Member/Secretary |

The meeting started with recitation of few verses from the Holy Quran by Engr. Abbas Khan, Deputy Director Works. Convener of the committee welcomed the participants and appreciated their spirit of participation. After brief introduction of the participants, the secretary briefed the committee about agenda of the meeting.

The convener allowed open discussion on the subject matter. The Representative of various consultants submitted their quires regarding RFP documents and the committee members replied their quires as per detail below:

**1. M/S Micon Engineering Consultants**

Query	Reply of the committee
<p>Clause 5 given on Page 13 of RFP may kindly be <b>waived off</b> due to the following valid reasons:</p> <p>a. There is no provision in KPPRA rules for restricting a firm from Joint Venture (JV), however JVs are generally encouraged in such type of projects.</p> <p>b. JV agreements are common in construction contracting because they allow entities with varying specialties, experiences, and financial resources to come together as JV partners to meet the specific demands of a construction project.</p> <p>c. Scope of work of the project is dominantly related to Master Planning and Designing which comes under the domain of Pakistan Council of Architects and Town Planners (PCATP), while stopping the relevant firms (Solley registered under PCATP) from apply is beyond understanding and goes against the PCATP mandate. During Design Phase, Geotechnical investigation of sites including field or laboratory tests for safe structural footing design of buildings, depth specifications of bore holes have been given, however bit diameter, number of samples and number of tests have not been specified. The same may be incorporated OR the firm may be allowed to conduct tests according to requirements on site as per ASTM standards.</p>	<p>(a&amp;b). The committee briefed the consultant regarding the previous experience of JV, and hence retained the same clause.</p> <p>(c) The committee agreed that the registration with PCATP will be strictly dealt with in accordance with KPPRA notification # KPPRA notification KPPRA/M&amp;E/PCATP/9-89-2021-22 dated 15-02-2022.</p>
<p>RFP is silent over facilities for laboratory testing during construction phase at site as it will directly affect financial bid of the firm. Whether it will be provided by the Contractor or Consultant? So, the same may kindly be clarified accordingly.</p>	<p>It was clarified that all the tests related to the quality of work will be carried out by the contractor in the presence/supervision of consultant during the construction phase.</p>
<p>During construction phase laboratory testing of construction material preferably concrete is significant for quality assurance of the building structure, therefore a <b>Geologist/Material Engineer</b> may kindly be included in Construction Supervision Team to maintain quality of construction as per ASTM standards.</p>	<p>It was clarified that all the major tests will be carried out through Govt approved established Labs, while it is the responsibility of site inspector and RE to ensure quality for rest of tests to be performed at site.</p>
<p>Wherein, any manufacturing process or operation is carried on, which process, or operation involves any risk of bodily injury, poisoning or disease, or any other hazard to health, to the persons employed in the operational area, deployment of <b>safety officer</b> is recommended. The same may kindly be included in the construction supervision team.</p>	<p>Contractor is responsible for provision of safety &amp; well equipped first aid kit/Room at site.</p>
<p>Weightage (marks) has been given to key staff for the project, however further break-up for weightage for each expert will further strengthen the expected proposals from the bidders and evaluation criteria accordingly</p>	<p>The same has been already clarified at page No 11 of RFP document and at annexure I of the RFP.</p>
<p>Page 16 of Data sheet section 7.1(b) states that during execution phase camp offices with all facilities will be</p>	<p>The contractor will provide furnished offices having all the necessary requirements i-e Electricity, water supply, Plumbing and printing</p>

provided by the <b>contractor</b> however further clarification is required in terms of transport and monthly expenses of site camp office.	facility etc, other facilities like transport and computers etc would be arranged by the consultant for supervision and routine office work by himself within the bid cost.
Clause 5 of Form-12 on page 28 in terms of unit and quantity is beyond understanding and maybe a typing mistake. The same may kindly be clarified or rectified.	The same was clarified and retained as per RFP documents.
The Consultant is of the opinion that a preliminary site visit is important before submission of proposal, while addressing the aforementioned queries is time consuming process too. Therefore, date of submission of proposal may kindly be extended for one week at least Addressing the aforementioned queries will lead bidders to submit sound technical and financial proposals.	The tender is re-advertised and the documents should be submitted within the stipulated time provided in the advertisement available in newspapers and at university website.

## **2. M/S ACE Architectural & Town Planning Services Limited**

<b>Query</b>		<b>Reply of the committee</b>
<b>Page No. 29 Note: a)</b> 10% of each payment shall be retained until successful completion of defect liability project of the project the retained amount shall be release after consultants issues defect liability certificate, as built drawings in (Auto CAD, PDF and hard form) and final structures safety / stability certificate.	This condition is not feasible, we request you to kindly reduced percentage from 10% to 5% as retention money. Please reconsider.	The consultant will submit the performance guarantee in the form of insurance bond issued by the insurance company having at least AA rating from PACRA/JCR. And retention money will be deducted as per standard procedure from the invoices.
<b>Page No. 29 Note: b)</b> Running Payment of Consultant would be released subject to performance and progress of work done as per schedule of work. (Construction Supervision Phase)	This is not practically feasible as the consultancy charges during construction supervision are paid every month on the basis of staff deployed at site.  We, therefore, request you to kindly reconsider and “ <b>waive off</b> ” the above condition and inform us of your decision at the earliest in order to enable us to submit the proposal.	After discussion and clarification the same has been retained as per RFP document
<b>Article 5.3</b> of the Datasheet the weightage given to the Technical and Financial Proposal are: Technical 70% and Financial 30%	The weightage should be 80% Technical and 20% Financial. Please reconsider.	The weightage of 70% for technical and 30% for financial is decided and fixed according to complexity and magnitude of the project as per standards provided in the PEC documents, which cannot be changed at this stage.
<b>Article 6.1</b> of the Datasheet the successful bidder will be required to furnish a performance guarantee upto @ 10% of the contract amount if necessary, under the rules.	Not acceptable kindly waive off this condition.	The consultant will submit the performance guarantee in the form of insurance bond issued by the insurance company having at least AA rating from PACRA/JCR. And retention money will be deducted as per standard procedure from the invoices.
We would require more time to prepare technical & financial proposal. It is, therefore, requested to kindly extend submission date upto Wednesday <b>14<sup>th</sup> Dec, 2022</b> .		The tender is re-advertised and the documents should be submitted within the stipulated time provided in the advertisement available in newspapers and university website.

## **3. M/S National Engineering Services Pakistan (PVT.) Limited (NESPAK)**

Data Sheet, Clause 5.1 (3) Approach & Methodology & Presentation: This clause seeks Consultant’s Approach & Methodology for performing the assignment and Presentation. Whereas the date and time for Presentation not mentioned there, which may please be informed along with contents of Presentation, Whether it requires some concept design for Proposed Building or Presentation on Approach & Methodology with similar experience of consultants for performing this particular assignment	The time and date will be announced later on during the technical evaluation of the documents, and the presentation should be focused both on concept design of the buildings and approach & methodology of consultant for performing the assignment. Past history of completed projects of the same nature may also be mentioned in the presentation to get good marks.
Data Sheet, Clause 6.2 (Time Period for Assignment): Time period for Design Phase may be enhanced to 6 months which involves various time requiring activities (like surveys, investigations, detailed designing, cost estimation, tender documents including preparation of PC-1) considering the scope of proposed buildings having covered area 144,021 sft as per RFP	As per RFP, 03 months are given as commencement period which is include of advertisement for hiring of consultant, contractors, technical and financial evaluation etc, which is also much squeezed and therefore the commencement time cannot be curtailed. Keeping in view the project duration the consultant should have to complete the task in design stage within stipulated time mentioned in the RFP.
Data Sheet, Clause 7.1 b (Site Office & Facilities): It has been mentioned that during execution phase site camp offices with all facilities will be provided by the Contractors.	The contractor will provide furnished offices having all the necessary requirements i-e Electricity, water supply, Plumbing and printing facility etc, other facilities like transport and computers etc would be arranged by the consultant for supervision and routine office work by himself within the bid cost.
According to this Clause, successful bidder is required to furnish performance guarantee upto 10% of the Contract amount. Further as per financial form Page 37, Which indicates that 10% retention money from each invoice of the Consultants shall be retained till successful completion of defects liability period.	The consultant will submit the performance guarantee in the form of insurance bond issued by the insurance company having at least AA rating from PACRA/JCR. And retention money will be deducted as per standard procedure from the invoices.

<p>We consider that either retention money may be deducted from invoice (s) or performance guarantee may be taken, because requirement of both things is not justified as it may block huge amount of consultants, thus suffer financial crunch.</p>	
<p>Terms of Reference (Page 32): As per Terms of Reference (TOR) page 32, Hydro study of site is required from the consultants. Please inform, whether the proposed site comes under flood plains or any irrigation channel/network passes through it for which hydro study is required. The Consultants are required for Geotechnical Investigation of site. It is requested that the scope of Consultants be limited to define scope of geotechnical investigation, preparation of tender documents of third party contractors, supervision of field works, data analysis and preparation of Geotech investigation report, whereas cost of 3<sup>rd</sup> party drilling Contractor(s) be paid directly by the client as per actual. This is needed as the exact quantum of Field Work and Lab Testing can not be assessed at this stage. Similarly, It is understood that the Consultants shall be responsible for providing all technical services for arranging NOCs/ Permits from the Local Authorities (WAPDA, SNGPL etc.) having Jurisdiction, while all cost thereof including Demand Notices, Challans, Legal Fees etc shall be borne by the client. Kindly confirm.</p>	<p>The consultant is required to visit the site before submitting his bid for collecting the desire data, also the details regarding the boreholes drilling is provided in the financial proposal i-e 40 to 60 ft deep borehole for each kanal area of the building is the minimum requirements and the consultant should include the cost of boring accordingly. Also the cost of the other govt deptt charges i-e demand notices fees or challans etc would be borne by the client.</p>
<p>Financial Proposal Form (Page 29): Refer Page 29 of RFP (Financial Form) which indicates that Penalty due to delay in work progress from approved schedule of work will be imposed according to terms and conditions in contract agreement. It may be noted that the consultants shall be responsible for providing supervision services for the extended period for the delays attributable to consultants. Further, in case of proven delays on part of proven delays on part of contractor (s) and default of the Employer, the consultants shall be paid for the extended period of supervision at mutually agreed terms and conditions Kindly confirm.</p>	<p>The consultant shall be responsible for providing supervision services for the extended period for the delays attributable to consultants. In case of proven delays on part of contractor(s) and or fault of the employer, the consultant shall be paid for extended period of supervision at mutually agreed terms and conditions.</p>
<p>General:</p> <ul style="list-style-type: none"> <li>• Tentative Project Cost may please be informed.</li> <li>• Since Pre-Bid for Clarification is called just 5 days prior to submission, and response to the clarifications are yet to be awaited. It is therefore, requested to extend the proposal submission date at least one weeks or beyond.</li> <li>• The weightages of Technical &amp; financial Proposal in RFP kept as 70% &amp; 30% respectively. It is suggested that the said weightages may be revised as 80% Technical &amp; 20% Financial keeping in view the selection of technical capable/ viable Consultant for such esteemed Project of Higher Education Institute.</li> <li>• Please provide data included but not limited to followings for information: <ul style="list-style-type: none"> <li>a) Number of Stories for the Proposed Building</li> <li>b) Surveys &amp; Studies Reports already carried out of existing campus</li> <li>c) Geotechnical Investigation Reports of existing campus</li> <li>d) Any other available data related to the Project</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Tentative civil work cost for the project is 700 M.</li> <li>• Same has been retained as per RFP document.</li> <li>• The weightage of 70% for technical and 30% for financial is decided and fixed according to complexity and magnitude of the project as per standards provided in the PEC documents, which cannot be changed at this stage.</li> <li>• <ul style="list-style-type: none"> <li>a) The number of stories would be decided as recommended by the consultant by keeping in view the existing contours of the project site.</li> <li>b) No survey and study report of existing campus is available.</li> <li>c) No data is available regarding the Geotechnical investigation of existing campus.</li> </ul> </li> </ul>

The meeting was adjourned with the vote of bilateral thanks.