

**PREQUALIFICATION DOCUMENT**

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**INSTRUCTIONS TO PROSPECTIVE CONSULTANTS FOR CONSULTANCY  
SERVICES, KETI BANDAR PROJECT**



**ENERGY DEPARTMENT**

**KETI BANDAR PROJECT**

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**GLOSSARY**

<b>ARTICLES OF ASSOCIATION</b>	<b>The Articles of Association of the Prospective Consultant.</b>
<b>ANNEXURE</b>	The term shall mean the annexure of this Prequalification Document.
<b>BOARD OF DIRECTORS</b>	The Board of Directors of the Prospective Consultants.
<b>CONSORTIUM</b>	The term shall bear the meaning as ascribed thereto in Section 3.1.1.
<b>CONSULTANT SELECTION COMMITTEE</b>	The Consultant Selection Committee notified by the Procuring Agency pursuant to SPPRA rules to undertake procurement process to hire Consultants for the Project.
<b>DFI</b>	Development finance institution
<b>ESTIMATED TIMETABLE</b>	The term shall bear the meaning as ascribed thereto in Section 4.8.1.
<b>GOS</b>	Government of Sindh
<b>INVITATION FOR PREQUALIFICATION</b>	The term shall bear the meaning as ascribed thereto in Section 3.
<b>LEAD MEMBER</b>	The term shall bear the meaning as ascribed thereto in Section 3.1.2
<b>MEMORANDUM OF ASSOCIATION</b>	The Memorandum of Association of the Prospective Consultant.
<b>NON-PREQUALIFIED CONSULTANT</b>	The term shall bear the meaning as ascribed thereto in Section 6.2.3.
<b>POWER OF ATTORNEY</b>	The Power of Attorney to be provided by the Prospective Consultant in the form prescribed in <b>ANNEXURE 4 (POWER OF ATTORNEY)</b> .
<b>PPIB</b>	Private Power and Infrastructure Board
<b>PREQUALIFICATION APPLICATIONS</b>	The prequalification application and documents required to be submitted by the Prospective Consultants in terms of and in accordance with this Prequalification Document.
<b>PREQUALIFICATION APPLICATION FORM</b>	An application duly executed by the duly authorized representative of the Prospective Consultant (or if the Prospective Consultant is a Consortium, the duly authorized represented of the Lead Member) in the form attached hereto at <b>ANNEXURE 2 (PREQUALIFICATION APPLICATION FORM)</b> .
<b>PREQUALIFIED CONSULTANT</b>	The term shall bear the meaning as ascribed thereto in Section 6.2.2.
<b>PREQUALIFICATION APPLICATION SUBMISSION</b>	The term shall bear the meaning as ascribed thereto in Section 5.3.

<b>DEADLINE</b>	
<b>PREQUALIFICATION CRITERIA</b>	The term shall bear the meaning as ascribed thereto in Section 4.3
<b>PREQUALIFICATION DOCUMENT</b>	This ‘Prequalification Document, Instruction to Prospective Consultants’, including all annexures attached hereto.
<b>PROCURING AGENCY</b>	The ‘Energy Department’, Government of Sindh.
<b>PROSPECTIVE CONSULTANT</b>	An enterprise or consortium that submits the Prequalification Applications in response to this Prequalification Document.
<b>RESPONSE TO QUESTIONS DOCUMENT</b>	The term shall bear the meaning as ascribed thereto in Section 4.7(Clarification).
<b>SECTION</b>	The term shall mean any section of this Prequalification Document.
<b>KETI BANDAR PROJECT / PROJECT</b>	The ‘Keti Bandar Project,’ as described in Section 2.
<b>TECHNICAL CRITERION</b>	The term shall mean the Technical Criterion prescribed in Section 4.3.

**TABLE OF CONTENTS**

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<b>1.</b>	<b>INTRODUCTION &amp; SCOPE.....</b>	<b>5</b>
<b>2.</b>	<b>PROJECT DESCRIPTION .....</b>	<b>5</b>
<b>3.</b>	<b>PROSPECTIVE CONSULTANTS .....</b>	<b>6</b>
<b>4.</b>	<b>PREQUALIFICATION: PREPARATION.....</b>	<b>7</b>
<b>5.</b>	<b>PREQUALIFICATION APPLICATION: SUBMISSION .....</b>	<b>10</b>
<b>6.</b>	<b>PREQUALIFICATION APPLICATION: OPENING AND EVALUATION .....</b>	<b>12</b>
<b>7.</b>	<b>INVITATION FOR BIDS .....</b>	<b>12</b>

## **LIST OF ANNEXURES**

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ANNEXURE 1 - DATA SHEET

ANNEXURE 2 - PREQUALIFICATION APPLICATION FORM

ANNEXURE 3 - BASIC INFORMATION FORM

ANNEXURE 4 - POWER OF ATTORNEY

ANNEXURE 5 – EXPERIENCE FORM (DQC1)

ANNEXURE 6 - FINANCIAL DATA FORM (DQC 2)

ANNEXURE 7 - AFFIDAVIT

## **1. INTRODUCTION & SCOPE**

### **1.1 INTRODUCTION**

The Energy Department, Government of Sindh invites Prequalification Applications from Prospective Consultants for feasibility study (technical, financial, legal & environmental) and transaction advisory services for Ketu Bandar Project.

## **2. PROJECT DESCRIPTION**

### **2.1 GENERAL**

2.1.1 Realizing that a sustainable solution to Pakistan's deep-rooted energy problems lies in large-scale coal based power generation from indigenous coal reserves, the Government of Sindh initiates this Project to promote coal-based energy solutions under applicable policies of the Government of Pakistan and Government of Sindh and Regulators for the sector. The power generation plant shall be established under PPIB guidelines.

2.1.2 The Project is an important part of the Government's strategy towards developing Sindh's energy sector. A coal-based power plant is thus desired and intended to be established in the vicinity of the ancient port site of Ketu Bandar of Thar Coal can be transported and converted into electric power. This shall not only significantly improve the viability of the coal excavated), reduce its cost of coal and consequently reduce the cost of electricity tariff, it shall also have following other allied advantages:

- (i) Environmentally less damaging site as the area has low densely population.
- (ii) Site location is near the industrial hub of Karachi and has a natural port of its own. The port can be developed in future in addition to Karachi Port and Port Qasim.
- (iii) Adequate availability of under-developed land for establishing an industrial park going forward.
- (iv) Proposed construction of railway link from Thar to Ketu Bandar via existing rail network. Also to examine the construction of a railway link leading to Port Qasim from any point between Thar to Ketu Bandar with existing rail network.
- (v) Proposed establishment of jetty / unloading facilities to the extent of providing plant machinery and equipment to the site via sea route.

2.1.3 It is in this background that the Ketu Bandar project is being proposed for conducting a detailed technical and financial feasibility that should include all ancillary matters pertaining to the project.

### **2.2 SCOPE OF CONSULTANTS**

The detailed scope of work for Consultant will be provided in detail later at request for proposal (RFP) stage, however, broadly below is in summarized form as follows:

#### **2.2.1 Technical Feasibility**

##### **(i) Technical study**

- a. Preliminary data collection and concept development for the Project;

- b. Utilization of Thar Coal and viability of Thar coal transportation to Project site;
- c. Power generation and evacuation including transmission line specifications;
- d. Establishment of jetty including port; Establishment of jetty / unloading facilities to the extent of providing plant machinery and equipment to the site via sea route.
- e. Environmental and social study;
- (ii) Action plan and methodology
  - a. Implementation plan for setting-up Keti-Bandar Project either in phase-wise or otherwise
  - b. Basic or initial project structure for each component

#### 2.2.2 **Legal Viability Assessment**

- (i) What laws, rules, regulations, will be involved in the Project development?
- (ii) What kind of district, provincial and federal approvals are required for establishment of Project?

#### 2.2.3 **Financial Feasibility**

#### 2.2.4 **PPP Options Analysis**

#### 2.2.5 **Bid Management**

#### 2.2.6 **Transaction negotiations and financial close**

### 3. **PROSPECTIVE CONSULTANTS**

#### 3.1 **CONSORTIUM-LEAD MEMBERS**

- 3.1.1 A Prospective Consultant for the Project may be a single entity or may take the form of a consortium (a “**Consortium**”) comprising of companies, firms, corporate bodies or other legal entities as defined in Companies Ordinance 1984.
- 3.1.2 Each Consortium shall appoint and authorize one (1) lead member (the “**Lead Member**”) to represent and irrevocably bind all members of the Consortium in all matters connected with the prequalification and tendering process including but not limited to the submission of the Prequalification Application on behalf of the Consortium. The Lead Member shall be a financial consulting firm/commercial Bank/DFI amongst Consortium.

#### 3.2 **CONSORTIUM PARTICIPATION RESTRICTIONS**

- 3.2.1 No Prospective Consultant or Consortium member may prequalify if it owns more than five per cent (5%) of the shares (directly or indirectly, in terms of voting rights and/or rights to dividends) of another Prospective Consultant or member of another Consortium.
- 3.2.2 No Prospective Consultant or Consortium member may prequalify if it has any representative on the Board of Directors of another Prospective Consultant or member of another Consortium.
- 3.2.3 No Prospective Consultant or Consortium member may prequalify if it does not possess any experience in relevant field.

### **3.3 INELIGIBILITY OF A PROSPECTIVE CONSULTANT**

- 3.3.1 If the Prospective Consultant or a Consortium member has been barred by any central, state or local government or government instrumentality in Pakistan or in any other jurisdiction to which the Prospective Consultant or a Consortium member belongs or in which the Prospective Consultant or a Consortium member conducts its business, from participating in any project on a private participation basis and the bar subsists as on the Prequalification Application Submission Deadline, such entity shall not be eligible to submit a Prequalification Application, either individually or as a Consortium member.
- 3.3.2 A Prospective Consultant (and in the case of a Consortium, any member) should not have, in the 5 (five) years preceding the Prequalification Application Submission Deadline:
- (a) failed to perform any contract with the Government, federal government, or local or provincial governments, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Prospective Consultant or Consortium member as the case may be; or
  - (b) been expelled from any project or contract by any public entity or authority; or
  - (c) had any contract terminated by any government or government instrumentality for breach by such Prospective Consultant or Consortium member.

### **3.4 COSTS**

- 3.4.1 The Prospective Consultant shall bear all costs, fees and expenses associated with the preparation and submission of its Prequalification Application, including, without limitation, all costs and expenses related to the Prospective Consultant's preparation of responses to questions or requests for clarification.

### **3.5 NO CONTRACT**

- 3.5.1 No contract whatsoever is created by or arises from this Prequalification Document, which, under no circumstances, constitutes an offer to enter into any contract or arrangement of any nature whatsoever with any party whatsoever.
- 3.5.2 The Government, the Procuring Agency and any of their departments, employees and/or personnel shall not have any obligation, responsibility, commitment, or legal liability of any nature whatsoever towards any Prospective Consultant arising from this Prequalification Document or any Prequalification Applications submitted in response to it.

## **4. PREQUALIFICATION: PREPARATION**

### **4.1 LANGUAGE OF PREQUALIFICATION APPLICATION**

- 4.1.1 The Prequalification Applications prepared by the Prospective Consultant, and all correspondence and documents related to the Prequalification Applications shall be submitted in English, as specified in ANNEXURE 1 (*DATA SHEET*).

### **4.2 DOCUMENTS COMPRISING THE PREQUALIFICATION APPLICATION**

- 4.2.1 The Prequalification Applications submitted by the Prospective Consultant shall comprise the following documents:
- (a) Part I – the information required by Section 4.3;



- (b) Part II – the documents or information required by Section 4.4;
- (c) Part III – where the Prospective Consultant is a Consortium, the documents required by Section 4.5; and
- (d) Part IV – the power of attorney required by Section 4.6.

Prequalification Applications shall contain no fees or fees schedules or other reference to rates and fees for undertaking the Project. Prequalification Applications containing such fee related information will be rejected.

#### 4.3 **PART I – PREQUALIFICATION CRITERIA**

In Part I of the Prequalification Application, the Prospective Consultant shall submit proof that it meets the prequalification criteria set out below (the “**Prequalification Criteria**”).

Qualification Criteria	Required Documents/Forms
<p><b>QC1: Technical Criterion 1</b></p> <p>The Prospective Consultant, or if the Prospective Consultant is a Consortium, shall have experience in below given areas:</p> <ul style="list-style-type: none"> <li>i. Coal based power generation</li> <li>ii. Power transmission</li> <li>iii. Railways experience of track and rolling stock infrastructure</li> <li>iv. Jetty</li> </ul>	<p><b>DQC1: Experience</b></p> <p>The Prospective Consultant, or if the Prospective Consultant is a Consortium, the relevant Consortium members, shall provide its list of relevant projects/sites in the form presented in <b>ANNEXURE 5 (EXPERIENCE FORM)</b>.</p>
<p><b>QC2: Financial Criterion 1</b></p> <p>The Prospective Consultant, or if the Prospective Consultant is a Consortium, the Lead Member, shall have average turn-over of at least PKR 100 million of the last two (2) full financial years.</p>	<p><b>DQC2: Audited Financial Statements</b></p> <p>The Prospective Consultant, or if the Prospective Consultant is a Consortium, the relevant Consortium member, shall provide the required financial data in the forms presented in <b>ANNEXURE 6 (FINANCIAL DATA FORM)</b>, along with (i) audited financial statements, duly certified by a certified chartered accountant, for the most recent two (2) full financial years for which such statements are available, including the consolidated balance sheet, income statement, statement of cash flows and the accompanying notes.</p>

#### 4.4 **PART II – PREQUALIFICATION FORM AND OTHER DOCUMENTS**

In Part II of the Prequalification Application, each Prospective Consultant shall provide the following:

- (a) A Prequalification Application signed by the Prospective Consultant (or if the Prospective Consultant is a Consortium, the Lead Member) in the form of **ANNEXURE 2 (PREQUALIFICATION APPLICATION FORM)**.
- (b) The following legal documents and background information:
  - (i) basic information on the Prospective Consultant (or if the Prospective Consultant is a Consortium, each member of a Consortium), as detailed in **ANNEXURE 3 (BASIC INFORMATION FORM)**, including an up-to-date list of shareholders of the Prospective Consultant (or one list for each Consortium member);
  - (ii) a certified copy of Memorandum of Association and Articles of Association of the Prospective Consultant (or if the Prospective Consultant is a Consortium, the Memorandum of Association and Articles of Association of each member of a Consortium) and any amendments;
  - (iii) a certified copy of the Prospective Consultant's certificate of incorporation (or, if the Prospective Consultant is a Consortium, each of its members); and
- (c) An Affidavit, in the form of **ANNEXURE 7 (AFFIDAVIT)**, confirming that the Prospective Consultant (or, if the Prospective Consultant is a Consortium, each member of the Consortium):
  - (i) is not in bankruptcy or liquidation proceedings;
  - (ii) has not been convicted of fraud, corruption, collusion or money laundering;
  - (iii) is not aware of any conflict of interest or potential conflict of interest arising from prior or existing contracts or relationships which could materially affect its capability to comply with the obligations under the Concession Agreement; and
  - (iv) does not fall within any of the circumstances for ineligibility listed in Section 3.3 (Ineligibility of a Prospective Consultant).

#### **4.5 PART III – CONSORTIA DOCUMENTS AND REQUIREMENTS**

If the Prospective Consultant is a Consortium, there must be a Lead Member who is duly authorized (through a power of attorney signed in front of a notary, as described in Section 4.6) by all other Consortium members to act on their behalf and provide an undertaking that there will be no change in the constitution of the Consortium without the prior written consent of the Procuring Agency. **The Lead Member shall be a financial consulting firm/commercial Bank/DFI amongst the Consortium.**

#### **4.6 PART IV – POWER OF ATTORNEY**

Each Prospective Consultant (or if the Prospective Consultant is a Consortium, each Consortium member) shall provide, as Part IV of the Prequalification Application, a written power of attorney in the form attached hereto as **ANNEXURE 4 (POWER OF ATTORNEY)**, duly

notarized, indicating that the person(s) signing the Prequalification Application has(ve) the authority to sign.

#### **4.7 CLARIFICATIONS**

A Prospective Consultant requiring any clarification on the Prequalification Document, Prequalification Applications, Prequalification Criteria or any of the requirements set out herein, may send an electronic request for clarification to the Procuring Agency at the e-mail addresses indicated in **ANNEXURE 1 (DATA SHEET)**. Any such request for clarification shall be addressed before 2:00 P.M. (Pakistan time) on December 05, 2016.

Electronic copies of the response, including an explanation of the query without identification of its source (the “**Response to Questions Document**”), will be sent to all Prospective Consultants who have requested for clarifications and the same shall be uploaded on Procuring Agency’s website. If similar or repeated queries are made by Prospective Consultants, those queries may be listed as one query and responded to only once.

#### **4.8 TIMETABLE**

4.8.1 The estimated timetable is as follows (the “**Estimated Timetable**”):

**Indicative Transaction Timetable\***

<b>Activity</b>	<b>Target Date</b>
Invitation for Prequalification	<b>Nov 23, 2016</b>
Clarification Requests Submission Deadline	<b>Dec 05, 2016</b>
<b>Prequalification Applications Submission Deadline</b>	<b>Dec 29, 2016</b>
Announcement of Prequalified Consultants	<b>Jan 09, 2017</b>

*\* The timetable is presented for indicative purposes only.*

The Procuring Agency may, in its sole discretion and without prior notice to the Prospective Consultants, amend the Estimated Timetable. Prospective Consultants shall not rely in any way whatsoever on the Estimated Timetable and the Procuring Agency shall not incur any liability whatsoever arising out of amendments to the Estimated Timetable. The Procuring Agency shall notify the Prospective Consultants of changes to the Estimated Timetable.

### **5. PREQUALIFICATION APPLICATION: SUBMISSION**

#### **5.1 FORMAT AND SIGNING OF THE PREQUALIFICATION APPLICATION**

5.1.1 Each Prospective Consultant shall prepare and submit one (1) printed original, two (2) printed copies and (1) electronic copy (on DVD or USB drive) of its relevant Prequalification Application, as specified in **ANNEXURE 1 (DATA SHEET)**, clearly marking each one as “**ORIGINAL**”, “**COPY NO. 1**”, “**COPY NO. 2**”, etc., as appropriate. In the event of any discrepancy between the copies and the original, the original shall prevail.

5.1.2 The original and all printed copies of the Prequalification Application, each consisting of the documents listed in Section 4.2, shall be typed or written in indelible ink. The person or persons duly authorized to bind the Prospective Consultant shall sign the Prequalification

Application by:

- (i) signing the original of the relevant Prequalification Application; and
- (ii) initialling all of the pages of the original of the relevant Prequalification Application.

5.1.3 The relevant Prequalification Application shall contain no alterations, omissions or additions, unless such corrections are signed by the person or persons signing the Prequalification Applications.

5.1.4 The DVD or USB drive requested shall include a table of contents, shall be free of any virus and shall contain non compressed and non protected files in printable and reproducible formats.

## **5.2 SEALING AND MARKING OF PREQUALIFICATION APPLICATIONS**

5.2.1 The Prospective Consultant shall seal the original Prequalification Application and each copy in separate envelopes, each containing the documents specified in Section 4.2, and shall mark the envelopes as “**PREQUALIFICATION APPLICATION – ORIGINAL**” and “**PREQUALIFICATION APPLICATION – COPIES**” (all duly marked as required herein). The envelopes shall be sealed in an outer envelope. The inner and outer envelopes shall:

- (i) be addressed to the Procuring Agency at the following address:

**ENERGY DEPARTMENT**

Name: Abu Bakar Madni

Designation: Additional Secretary (Coal)

Address: 2<sup>nd</sup> Floor, State Life Building No. 3, Dr. Ziauddin Ahmed Road, Karachi

Tel: +92 21 9920 7132-4

and

- (ii) bear the words: “**KETI BANDAR PROJECT. DO NOT OPEN BEFORE 2:00 P.M. PAKISTAN TIME, DECEMBER 29, 2016**”

The inner envelopes shall each indicate the name and address of the Prospective Consultant (in case of a Consortium, the name and address of the Lead Member) to enable the relevant Prequalification Application to be returned unopened in the event that it is declared “late”.

If the outer envelope is not sealed and marked as required in this Section 5.2, the Procuring Agency will assume no responsibility for any Prequalification Application's misplacement or premature opening. If the outer envelope discloses the Prospective Consultant's identity, the Procuring Agency will not guarantee the anonymity of the submission, but this disclosure will not constitute grounds for rejection.

5.2.2 The DVD or USB drive requested shall be submitted together with the printed Prequalification Application as provided in **ANNEXURE 1 (DATA SHEET)**. For the avoidance of doubt, it is expressly specified that the Prospective Consultants shall not be allowed to submit their Prequalification Applications by e-mail.

## **5.3 DEADLINE FOR SUBMISSION OF PREQUALIFICATION APPLICATIONS**

Prequalification Applications shall be submitted to the Procuring Agency at the address

specified above no later than **2:00 P.M. PAKISTAN TIME, DECEMBER 29, 2016** (the **“Prequalification Application Submission Deadline”**).

Any Prequalification Application submitted after the Prequalification Application Submission Deadline shall be rejected and shall be returned unopened to the Prospective Consultant (or in case of a Consortium, to the Lead Member) who sent it.

**6. PREQUALIFICATION APPLICATION: OPENING AND EVALUATION**

**6.1 PRELIMINARY EXAMINATION OF PREQUALIFICATION APPLICATIONS**

The Consultant Selection Committee will carry out a preliminary examination of each Prequalification Application to determine whether it is complete, whether the documents have been properly signed, and whether it is generally in order.

Where the Procuring Agency deems it convenient or necessary, it may request supplementary information or documentation from a Prospective Consultant (including each member of a Consortium) for determining its eligibility for prequalification by such date as may be specified by the Procuring Agency.

Any Prequalification Application found to be non-responsive will be rejected by the Consultant Selection Committee and not included for further consideration of the substance of the application.

**6.2 EVALUATION OF THE PREQUALIFICATION APPLICATION**

6.2.1 The Consultant Selection Committee will carry out a detailed evaluation of the Prequalification Applications that have not been rejected after the preliminary examination in order to determine whether they are substantively responsive to the Prequalification Criteria. In order to reach such a determination, the Consultant Selection Committee will examine the information supplied by the Prospective Consultants, pursuant to this Section 6.2, and other requirements, taking into account the following factor:

**Prequalification Criteria specified in Section 4.3 Part I are based on "pass"/"fail" for each such criteria.**

6.2.2 A Prospective Consultant whose Prequalification Application is determined by the Consultant Selection Committee to be substantively responsive and as meeting the Prequalification Criteria specified in Section 4.3 Part I and the other requirements in Section 4 shall be designated as a **“Prequalified Consultant”**.

6.2.3 A Prospective Consultant whose Prequalification Application is determined by the Consultant Selection Committee to be substantively non-responsive or as not meeting the Prequalification Criteria specified in Section 4.3 Part I and the other requirements in Section 4 shall be designated as a **“Non-Prequalified Consultant”**.

**7. INVITATION FOR BIDS**

At the end of the Prequalification Applications evaluation, the Procuring Agency will either:

- (a) notify a Prospective Consultant that it has been designated as being a Non-Prequalified Consultant as its Prequalification Application has been rejected on the grounds of being substantively non-responsive, or that it does not meet the Prequalification Criteria and other requirements set forth in Section 4; or

- (b) notify a Prospective Consultant that it has been designated as being a Prequalified Consultant and will receive an invitation for bids.

If the Prequalified Consultant is a Consortium, it shall not change the structure of the Consortium without the prior written consent of the Procuring Agency.

The specific details of the tendering process, including the deadline and content for submission of bids, will be specified in the tender documents to be issued by the Procuring Agency shortly after the announcement of Prequalified Consultants.

**ANNEXURE 1 - DATA SHEET**

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The following specific data shall supplement the provisions in the Prequalification Document.

<b>1</b>	<b>Project Name</b>	<b>Keti Bandar Project</b>
<b>2</b>	<b>Address and Contact Person of Procuring Agency</b>	<b>Energy Department,</b> Name: Abu Bakar Madni Designation: Additional Secretary (Coal) Address: 2 <sup>nd</sup> Floor, State Life Building No. 3, Ziauddin Ahmed Road, Karachi Tel: +92 21 9920 7132-4 Email: <a href="mailto:abubakarmadni4@gmail.com">abubakarmadni4@gmail.com</a>
<b>3</b>	<b>Address for Submission of Prequalification Applications</b>	Name: Abu Bakar Madni Designation: Additional Secretary (Coal) Address: 2 <sup>nd</sup> Floor, State Life Building No. 3, Ziauddin Ahmed Road, Karachi
<b>6</b>	<b>Prequalification Application Submission Deadline</b>	2:00 P.M. Pakistan time on December 29, 2016
<b>7</b>	<b>Language of Prequalification Application</b>	English
<b>8</b>	<b>Number of Copies of Prequalification Application</b>	- one (1) printed original together with one (1) electronic copy (DVD or USB drive); and - two (2) printed copies.

## ANNEXURE 2 - PREQUALIFICATION APPLICATION FORM

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**To:** Energy Department  
Address:

**Re:** Consultancy Services of Keti Bandar Project (the “**Project**”)

[Date]

Dear [Sir/Madam],

Pursuant to the Invitation for Prequalification dated [*Please insert the relevant date*] , [*Name of Prospective Consultant*] hereby submits its Prequalification Application in conformity with the Prequalification Document, Instruction to Prospective Consultants dated [●] (as amended and/or supplemented from time to time) (the **Prequalification Document**) and requests to be considered for prequalification for the Project.

*All capitalized terms unless defined herein shall bear the meaning as ascribed thereto in the Prequalification Document.*

[*Name of Prospective Consultant*] hereby applies to become a Prequalified Consultant in the invitation for bids for the Project.

[*Name of Prospective Consultant*] hereby confirms that it:

- (a) agrees to comply with all the tender rules, laws and regulations governing the tender as issued by the relevant authorities from time to time.
- (b) accepts the right of the Energy Department to (i) request additional information reasonably required to assess the application, (ii) amend the procedures and rules or make clarifications thereof, and (iii) extend or amend the schedule of the prequalification and the tender;
- (c) accepts the exclusive application of the provincial laws of Sindh with respect to these prequalification procedures; and
- (d) fully and completely understands and accepts the terms of the Prequalification Document and hereby undertakes to comply with the same.

[*Name of Prospective Consultant*] hereby represents and warrants that as of the date of this letter:

- (a) all of the information submitted in this Prequalification Application, including the enclosed forms and documents, is accurate in all respects;
- (b) [*Name of Prospective Consultant*], [including any of our Consortium members], has(ve) not been subject to any voluntary or involuntary bankruptcy or insolvency or similar proceeding during the last five (5) years; and
- (c) [*Name of Prospective Consultant*], [including any of our Consortium members], has(ve) paid all taxes due, except those which are being contested in good faith by appropriate proceedings and for which adequate reserves have been established.



Attached herewith to this Prequalification Application are the following documents, as appropriate:

- (a) Basic Information Form (Annexure 3)
- (b) Power of Attorney (Annexure 4);
- (c) Experience Form (Annexure 5);
- (d) Financial Data Form (Annexure 6); and
- (e) Affidavit (Annexure 7);
- (g) Other documents required in Section 4 of the Prequalification Document.

[*Name of Prospective Consultant*] hereby designates [●] as its representative to receive notices in respect of the prequalification and the tender at the following address, telephone and facsimile numbers:

[*Representative's address, telephone and facsimile numbers.*]

[*signature*]

In the capacity of [*position*]

Authorized to sign this Prequalification Application for [*Name of Prospective Consultant*]

**ANNEXURE 3 - BASIC INFORMATION FORM**

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**PROSPECTIVE CONSULTANT INFORMATION:**

Name:

Type: (Company, Partnership, etc.)

Company incorporation n°:

Domicile:

Address of principal office:

Telephone number:

Fax number:

E-mail address:

Primary areas of business:

Shareholder certificate (attach separately)

**Consortium members information: (if applicable, fill in details for all members, identifying the Lead Member and/or the member(s) to be evaluated for each of the Prequalification Criteria set forth in Section 4.3 Part I)**

Name:

Type: (Company, Partnership, etc.)

Company incorporation n°:

Domicile:

Address of principal office:

Telephone number:

Fax number:

E-mail address:

Primary areas of business:

Shareholder certificate (attach separately)

**ANNEXURE 4 - POWER OF ATTORNEY**

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On this ..... day of .....

Before me

The Notary in this office

The undersigned

Mr./Ms. \_\_\_\_\_

In his capacity as \_\_\_\_\_

Nationality

Holder of Passport or ID no. \_\_\_\_\_

Issued from \_\_\_\_\_

Dated \_\_\_\_\_

Residing at \_\_\_\_\_

Hereby appoints Mr./Ms. \_\_\_\_\_ in his capacity as \_\_\_\_\_, to:

- (a) Execute under hand, or under seal, and deliver to the competent authorities all the documents listed in Schedule 1 attached hereto;
- (b) Deliver and receive any document or instrument in relation to the documents listed in Schedule 1 attached hereto; and
- (c) Do all things necessary and incidental in respect of the matters set out herein including to do, execute and perform any other deed or act ought to be done executed or performed to perfect or otherwise give effect to the documents listed in Schedule 1.

And is hereby authorized to appoint others for all or part of the powers delegated by the present Power of Attorney.

**SCHEDULE 1**

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- A. DATED: [INSERT DATE OF EXECUTION]
- B. THE GRANTOR: [INSERT NAME OF PROSPECTIVE CONSULTANT/CONSORTIUM MEMBER]
- C. THE ATTORNEY: [INSERT NAME OF REPRESENTATIVE LEAD MEMBER]
- D. PLACE IN WHICH DOCUMENTS ARE TO BE EXECUTED AND DELIVERED: ENERGY DEPARTMENT  
NAME:  
Address:
- E. DOCUMENTS: ALL DOCUMENTS IN RESPECT OF THE PROCURING AGENCY'S PREQUALIFICATION APPLICATION IN RELATION TO THE PROJECT.

IN WITNESS WHEREOF the Grantor has executed this Power of Attorney [**under seal**] on the date set out above.

[SEAL] )  
)  
)  
)

\_\_\_\_\_  
[Name / Title of Grantor representative]

**ANNEXURE 5 – EXPERIENCE FORM (DQC1)**

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The Prospective Consultant, or if the Prospective Consultant is a Consortium, at least one of the Consortium members, should provide sufficient detail of its experience in the coal based power generation, power transmission line, railways and jetty/port to enable the Procuring Agency to evaluate fulfilment of Technical Criterion as described in Section 4.3 of this Prequalification Document.

<b>Company Name<sup>1</sup></b>	<b>Location / Site</b>	<b>Assignment Description &amp; Capacity</b>	<b>Your Company's Role</b>		
[add rows if necessary]					

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<sup>1</sup> If Company Name is different from your name, please indicate relationship with your company.

ANNEXURE 6 - FINANCIAL DATA FORM (DQC 2)

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(I) **TURN-OVER**

<b>Prospective Consultant</b> <b>(or if the Prospective Consultant is a Consortium, the Lead Member)</b>	
<b>Financial Year End</b> [ <i>insert the date and year</i> ]	<b>Financial Year End</b> [ <i>insert the date and year</i> ]
[ <i>insert the amount in PKR</i> ]	[ <i>insert the amount in PKR</i> ]

**ANNEXURE 7 - AFFIDAVIT**

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**To:** Energy Department  
Address:  
Government of Sindh, Karachi, Pakistan

**Re:** Consultancy Services of Keti Bandar Project (the "**Project**")

**[Date]**

Pursuant to the Prequalification Document dated [*Please insert the Date*] in respect of the Keti Bandar Project,

[*Name of Prospective Consultant/Lead Member of Consortium*] hereby represents and warrants that, as of the date of this letter [*Name of Prospective Consultant/Lead Member of Consortium*], and each member of our Consortium (if applicable):

- (a) is not in bankruptcy or liquidation proceedings;
- (b) has not been convicted of, fraud, corruption, collusion or money laundering;
- (c) is not aware of any conflict of interest or potential conflict of interest arising from prior or existing contracts or relationships which could materially affect its capability to comply with the obligations under the Consultancy Services Agreement; and
- (d) does not fall within any of the circumstances for ineligibility listed in Section 3.4 (Ineligibility of a Prospective Consultant) of the Invitation for Prequalification.

Yours Sincerely,

Authorized Signature  
Name and Title Signatory  
Name of Firm  
Address