

**REQUEST FOR EXPRESSION OF INTEREST  
FOR PRE-QUALIFICATION OF BIDDERS**

**FOR**

**KMC THEME AND SAFARI PARK PROJECT**

**June 2018**



**Local Government,  
Department,  
Government of Sindh**



**Karachi  
Metropolitan  
Corporation**



**PPP Unit,  
Finance Department,  
Government of Sindh**



Request for pre-qualification  
for KMC Theme and Safari Park Project

## LETTER OF INVITATION

**Reference: KMC Theme and Safari Park Project**

**Dear Prequalification Applicant**

The Karachi Metropolitan Corporation (the “**KMC**”) in association with Local Government Department, Government of Sindh (the “**LGD**”), hereby issues this invitation for submission of Prequalification Applications (the “**Prequalification Document**”) to invite prequalification applications along with all the supporting documents to be submitted pursuant to this Prequalification Document (the “**Prequalification Applications**”) from interested companies or consortia (the “**Prospective Bidders**”) to be prequalified to bid on a Public Private Partnership (“**PPP**”) tender for the establishment, operations and management of KMC Theme and Safari Park Project (the “**Project**”). The PPP contract (the “**Concession Agreement**”) will be awarded through a competitive bidding process (the “**Competitive Bidding Process**”) open to both local and international prequalified bidders in accordance with provisions of Sindh Public Procurement Rules, 2010 (as amended from time to time (the “**SPP Rules**”).

The Project has been launched pursuant to the unsolicited proposal received by the KMC to design, build, finance, operate, maintain and transfer of the Project under PPP mode. The unsolicited proposal has been evaluated and accepted by Government of Sindh (the “**GoS**”) in accordance with Sindh Public Private Partnership Act 2010 (as amended from time to time) and Rule 15A of the SPP Rules.

The following prequalification procedure will be adopted:

1. This Prequalification Document contains preliminary information which gives Prospective Bidders an overview of the Project.
2. Following the submission of the Prequalification Applications, the Prospective Bidders will be evaluated based on the requirements and criteria set forth herein.
3. Prospective Bidders whose Prequalification Application is determined by the Technical and Financial Evaluation Committee (“**TFEC**”) to be responsive to the requirements and fulfils the criteria of the prequalification process, shall be designated as “**Prequalified Bidders**”.
4. Prequalified Bidders shall be invited to participate in the Competitive Bidding Process for the Project through issuance of Request for Proposal to them in accordance with SPP Rules.
5. As per Rule 15A of the SPP Rules, the initiator of the unsolicited proposal is entitled to various advantages including exemption from prequalification process, as mentioned in Section 4 of Prequalification Document.

Prequalification Applications must be delivered no later than 1.00 pm on 16<sup>th</sup> July, 2018, 2018, at the address indicated in Section 8 of Prequalification Document.

Sincerely,

**Metropolitan Commissioner**

Karachi Metropolitan Corporation, Government of Sindh

MC Secretariat,

Room No.19, 2nd Floor, KMC Head Office M.A Jinnah Road, Karachi.



*Request for pre-qualification  
for KMC Theme and Safari Park Project*

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**IMPORTANT NOTICE**

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This Prequalification Document is provided to the recipient solely for use in preparing and submitting applications for prequalification in connection with the Project. This Prequalification Document is being issued by the KMC in association with LGD solely for use by Prospective Bidders in considering the Project.

The evaluation criteria was determined by TFEC. The KMC, LGD, PPP Unit nor its consultants, advisors, employees, personnel, agents, make any representation (expressed or implied) or warranties as to the accuracy or completeness of the information contained herein, or in any other document made available to a person in connection with the tender process for the Project and the same shall have no liability for this Prequalification Document or for any other written or oral communication transmitted to the recipient in the course of the recipient's evaluation of the Project. The KMC, LGD, PPP Unit nor its employees, personnel, agents, consultants, advisors and contractors etc. will be liable to reimburse or compensate the recipient for any costs, fees, damages or expenses incurred by the recipient in evaluating or acting upon this Prequalification Document or otherwise in connection with the Project as contemplated herein.

The Prequalification Applications submitted in response to this Prequalification Document by any of the Prospective Bidders shall be upon the full understanding and agreement of any and all terms of this Prequalification Document and such submission shall be deemed as an acceptance to all the terms and conditions stated in this Prequalification Document.

Any Prequalification Applications in response to this Prequalification Document submitted by any of the Prospective Bidder shall be construed based on the understanding that the Prospective Bidder has done a complete and careful examination of this Prequalification Document and has independently verified all the information received (whether written or oral) from the KMC, LGD and PPP Unit (including from its employees, personnel, agents, consultants, advisors and contractors etc.).

This Prequalification Document shall neither constitute a solicitation to invest, or otherwise participate, in the Project, nor shall it constitute a guarantee or commitment of any manner on the part of the KMC and/or LGD that the Project will be awarded. The KMC reserves its right, in its full discretion, to modify the Prequalification Document and/or the Project at any time to the fullest extent permitted by law, and shall not be liable to reimburse or compensate the recipient for any costs, taxes, expenses or damages incurred by the recipient in such an event.



*Request for pre-qualification  
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## 1 INTRODUCTION

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### 1.1 INTRODUCTION

The KMC has received an unsolicited proposal for design, finance, build, operate, maintain and transfer (“**DFBOT**”) of the KMC Theme and Safari Park Project under Public Private Partnership (PPP) mode. The unsolicited proposal has been evaluated and accepted by the relevant committee of the GoS in accordance with the relevant sections of Sindh Public Private Partnership Act, 2010 and SPP Rules. The procurement process will be as per the applicable laws, rules and regulations including the Sindh Public Private Partnership Act, 2010 and Rule 15 of SPP Rules.

Accordingly, KMC in association with LGD, hereby invites Prospective Bidders through this Request for Prequalification Document to submit their Prequalification Application for the Project.

The Project will be structured as a Concession Agreement between the GoS and preferred bidder (“**Preferred Bidder**”) through a Special Purpose Vehicle (“**SPV**”) that must be a locally registered company incorporated in accordance with the laws of Pakistan to be formed by the Preferred Bidder after award of the Project. The Project will be awarded through a Competitive Bidding Process open to local and/or international firms in accordance with the SPP Rules.

### 1.2 NEED FOR THE PROJECT

Karachi, the business and economic hub of Pakistan, is one of the largest and most populous metropolitan cities of the world. Despite being the financial capital and one of the most populous city in the world, the city is in the dire need of entertainment avenues. Currently, the only few avenues for entertainment and recreation available for public in the city are in very poor and unsafe conditions.

Currently, there are no ‘themed’ amusement parks in Karachi. None of the parks having entertainment rides comply with international specifications for rides according to International Association Amusement Parks and Attractions; this includes operational and safety standards based on American ASTM Standards or European UNI EN Standards. Moreover, there are no amusement parks designed by theme park experts with international exposure and none of the existing parks procure their rides or equipment from Original Equipment Manufacturers (OEM) and neither do they carry any maintenance from the same OEMs.

Theme Parks & Safari parks have been popular entertainment venues since the time they were first setup in the late 18th century. Moreover, all the major cities in the world including our regional neighbours have international level Theme Parks. These facilities provide entertainment facilities and cater to a diverse age group and wider audience. It is unfortunate for residents of Karachi in terms that they lack properly developed theme and safari parks.



### 1.3 PROJECT DESCRIPTION

The KMC Theme and Safari Park Project comprises the following two components:

**Theme Park:** The Project includes establishment of a state-of-art Theme Park which will have the rides area with various international standard rides and attractions, a Family Entertainment Centre with a food court and additional family rides including trampoline, kids play area, 3D rides, etc. and a Business Centre with souvenir and other shops. The area of Proposed Theme Park is around 28 acres.

**Safari Park:** The second component of the project includes development of a first of its kind in Pakistan, Safari Park complying with international standards. The Safari Park will include a Pet Farm Auditorium in which the families can enter and spend quality time and much needed exposure for kids with friendly non-dangerous animals and a splash zone. The spectacular safari ride will be built-in the Safari Park area in which additional animals will be procured and adequately placed along with the existing animals in an uncaged environment (with adequate safety measures). The visitors of Safari park will get a life time experience of safari ride in which they can observe the animals in their natural habitat. The area of Proposed Safari Park is around 81 acres. A portion of the existing facility of the safari park will be included in the Project.



#### 1.4 TECHNICAL DETAILS

The proposed Theme Park Project will indicatively include 25 rides such as Top Spin (2H), Telecombat, Jumper/Kangaroo, Ferris Wheel 50 (2H), Rollercoaster (2H), Typhoon Discov. (2H), Family Swinger, Aero Bat, Carousel / Merry Go Round, Bumber Boats, Bumber cars, Monorail, Spinning coaster, Free Fall Tower, Playground, Jump Around, Pedal Boats, Mini Bumper Cars, Children Coaster, Mini Train, Rotating Children Ride, Safari Track, Rockin' Tug, Go Carts, Trampoline, 3D Rides and etc. (all rides shall comply with standards specified by the International Association Amusement Parks & Attractions (IAAPA) and with European UNI EN & American ASTM specifications).

The proposed Safari Park will comply with international standards based on American or British standards. The Safari will have a spectacular safari ride with procurement of indicatively 78 additional animals such as Giraffe, Rhinoceros, Zebra, Llama (Guanaco), Sambar Deer, Impala, Hippopotamus, Ostrich, Greater Kudu, Eland, Lion, Baboon, Chimpanzee, Red Giant Kangaroo.

The exact parameters in respect of the technical requirements including the list of rides to be procured, procurement of additional animals for safari park, etc. shall be finalized at the RFP stage.

#### 1.5 PROJECT LOCATION

The proposed Project is located at the land dedicated for Safari Park at main University Road, Gulshan-e-Iqbal, Karachi, Sindh. The total area of the land of Safari Park is 207 acres. However, around 109 acres of the land is proposed for the Project.

Map of the Project location is provided in **Appendix 1**. However, the exact parameters in respect of the land requirement shall be finalized at the RFP stage.



## 1.6 PURPOSE OF PREQUALIFICATION DOCUMENT

The purpose of this Prequalification Document is to:

- 1.6.1 Provide interested parties with the background of the KMC Theme and Safari Park Project;
- 1.6.2 Set out the objectives, the proposed commercial principles governing the Project;
- 1.6.3 Explain KMC's expectations in seeking private sector investment and participation;
- 1.6.4 Explain the intended procurement process;
- 1.6.5 Outline the pre-qualification criteria;
- 1.6.6 Specify the terms and conditions for participation by Prospective Bidders in this Pre-qualification stage of the procurement;
- 1.6.7 Elicit responses from Prospective Bidders with the skills, knowledge, experience, capability, financial resources, capacity and approach necessary to deliver, finance and maintain the Project; and
- 1.6.8 Prequalify the Prospective Bidders in respect of the Project in accordance with the prequalification criteria set out in this Prequalification Document.

## 1.7 CONSORTIUM-LEAD MEMBERS

- 1.7.1 A Prospective Bidder may participate individually or take the form of a consortium (a "**Consortium**") comprised of companies, firms, corporate bodies or other legal entities, each of which are members of the consortium (the "**Consortium Member**"). In such a case, 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.
- 1.7.2 Each Consortium Member shall execute a duly notarized power of attorney in favour of its Lead Member to authorize it to represent and bind all Consortium Members, in accordance with the Appendix F (Authorization of Lead Member).
- 1.7.3 Each Consortium shall execute a consortium agreement ("**Consortium Agreement**") between/among themselves and shall submit the same with its Prequalification Application. The Consortium Agreement shall, *inter alia*:
  - a. convey the intent to form an SPV (with shareholding/ownership equity commitment(s) in the SPV, in the event the Project is awarded to the Consortium) which would enter into the Concession Agreement and subsequently perform all the obligations of the Concessionaire in terms of the Concession Agreement;
  - b. commit that all of the Members (whose experience will be evaluated for this Prequalification Document and Request for Proposal) shall subscribe to a cumulative of 100% of the paid up ordinary shares capital of the SPV with the Lead Member to hold at least 51% of the paid-up ordinary share capital. Further, it shall also commit that the members of the Consortium



shall neither undertake nor shall they permit any change in ownership and / or change in control. Further, it shall also commit that no member of the Consortium shall, without the prior written consent of the GoS, sell, transfer, convey or otherwise dispose of its direct and/or indirect, legal and/or beneficial ownership in the ordinary shares of the SPV held by them (or any part thereof);

- c. clearly outline the proposed roles and responsibilities, of each Consortium Member (including Lead Member) in relation to the Project;
- d. commit the minimum equity stake to be held by each member of the Consortium;
- e. contain an undertaking of the Consortium Members (including the Lead Member) to the effect that all members of the Consortium shall be liable, jointly and severally, for all obligations of the Concessionaire in relation to the Project until the expiry of the defects liability period; and
- f. clearly set out that there shall not be any amendment to the Consortium Agreement without the prior written consent of the GoS.

## 1.8 PARENT COMPANY

- 1.8.1 The Prospective Bidder, or Consortium Member(s) in the case of a Consortium, may elect to present evidence of projects undertaken by its Parent Company to satisfy the Evaluation Criteria. In doing so, it must demonstrate to the satisfaction of the TFEC that the relevant skills and resources of the Parent Company will be available to the Prospective Bidder or a Consortium Member (in accordance with the Evaluation Criteria set forth in Section 6).

For the purposes of this Prequalification Document and any document submitted pursuant thereto, the term "**the Parent Company**" means any corporate entity controlling the Prospective Bidder, or if the Prospective Bidder is a Consortium, the relevant Consortium Member, and "Control" means having, directly or indirectly, a majority of the voting securities and a majority representation in the Board of Directors (or other similar constituent body) of the given corporate entity.

- 1.8.2 The Prospective Bidder, or each Consortium Member, may elect to present financial statements from a Parent Company to satisfy the Financial Criteria (in accordance with the Evaluation Criteria set forth in Section 6).
- 1.8.3 Should a Prospective Bidder be qualified based upon the technical and/or financial qualifications of the Parent Company, such Parent Company shall be required to provide a Letter of Support for the bid process and the Concession Agreement, substantially in the form of Appendix 3J (Parent Company Letter of Support).

## 1.9 PRE - QUALIFICATION COSTS

- 1.9.1 The Prospective Bidder shall bear all costs (the "**Prequalification Costs**") associated with the preparation and submission of its Prequalification Applications, including, without limitation, all costs and expenses related to the Prospective Bidder's preparation of responses to questions or requests for clarification and to attending any meetings in connection with its Prequalification Application.



## 2 PROJECT OBJECTIVES AND OUTPUTS

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- 2.1 Karachi, the business and economic hub of Pakistan, is one of the largest and most populous metropolitan cities of the world. Despite being the financial capital and one of the most populous city in the world, the city is in the dire need of entertainment avenues. Currently, the only few avenues for entertainment and recreation available for public in the city are in very poor and unsafe conditions.
- 2.2 The objectives of the Project include:
- 2.2.1 The project will bring ‘Themed amusement park’ of international standards for population of Karachi and Sindh which will be developed, operated and maintained by industry expert from private sector;
  - 2.2.2 The project will provide social uplift for the society by providing a state of art recreational facility especially for the youth;
  - 2.2.3 To provide relief from urban intensity for residents and bring people together across social, economic divides;
  - 2.2.4 To provide infrastructure that allows intrinsic environmental, aesthetic, and recreation benefits to the citizens of Karachi;
  - 2.2.5 To earn savings for GoS, as the existing annual budget allocations for the safari park will no longer be required. In the long run, GoS may deploy these savings in other socially and/or economically viable projects. Also, GoS will not need to subsidize the loss making component i.e., Safari Park during the operational phase since the Safari Park will also be managed by private partner by funding it from profits of Theme Park.
  - 2.2.6 To produce positive economic benefits and cash flows for KMC in the shape of revenue sharing; and
  - 2.2.7 The project is expected to provide more than 350 additional employment opportunities for the society.



### 3 INDICATIVE COMMERCIAL PRINCIPLES

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- 3.1 This Section provides an overview of the key features of the anticipated commercial structure for the implementation of the Project. The Request for Proposal (“RFP”) that will be issued during the next stage of the procurement process will develop the envisaged Project structure and will provide summaries of the key contractual agreements.
- 3.2 The KMC, in association with LGD, wishes to draw the Prospective Bidders’ attention to the following key commercial principles that it intends to apply to this Project:
- 3.2.1 Following the Competitive Bidding Process, the Preferred Bidder through SPV will enter into a Concession Agreement with GoS in respect of the establishment, operations and management of the Project;
- 3.2.2 The proposed project structure is based on, build, operate and transfer (BOT) basis under the Public Private Partnership (PPP) regime with a defined concession period of 32 years. The concession period includes a procurement/construction period of 2 years and an operations & maintenance period of 30 years.
- 3.2.3 GoS will be required to enter into lease/sub-lease/license arrangement with the Concessionaire.
- 3.2.4 Concessionaire will be responsible for operating and maintaining the Theme Park & Safari Park in accordance with applicable laws and standards.
- 3.2.5 Concessionaire will be entitled to charge user fees and the KMC will be entitled to receive a revenue share from the Project at a fixed percentage of the total revenues of the Project.
- 3.2.6 The proposed capital structure for the project is as follows:
- (a) The Preferred Bidder will be required to contribute at least 25% of the Project cost as equity;
  - (b) The GoS will provide an upfront GoS sub-ordinated loan which shall not be more than 15% of the Project cost; and
  - (c) The remainder of the Project cost will be financed through commercial loan. The Preferred Bidder shall be solely and completely responsible for arranging the commercial loan for the Project. It being clarified that the GoS shall not provide any collateral for securitizing/securing the commercial loan.
- 3.2.7 The GoS shall not provide any financial support during the operations phase of the Project.
- 3.2.8 At the end of the concession period, the Project’s facility will be transferred to the GoS without any consideration, subject to and in accordance with the terms and conditions of the Concession Agreement.

All the commercial and/or legal terms including the aforementioned will be finalized at the RFP stage.



## 4 PROCUREMENT PROCESS

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4.1 The KMC has received an unsolicited proposal for design, finance, finance, operate, maintain and transfer (DFBOT) of the KMC Theme and Safari Park Project under PPP mode. The unsolicited proposal has been evaluated and accepted by GoS in accordance with the relevant sections of Sindh Public Private Partnership Act, 2010 and SPP Rules. The procurement process will be as per the applicable laws, rules and regulations including the Sindh Public Private Partnership Act, 2010 and Rule 15A of SPP Rules.

4.2 The intended Competitive Bidding Process for the selection of the Preferred Bidder is set out below.

4.3 The Basic data relating to the Project and the Prequalification process is given in Appendix B (Data Sheet).

### 4.4 Stage 1 – Prequalification

4.4.1 At the Prequalification stage, Prospective Bidders will submit Prequalification Applications to demonstrate their capabilities to fulfil the roles and responsibilities of the private sector partner for the Project.

4.4.2 It is important to note that as per Rule 15A of the SPP Rules, at prequalification stage, the initiator of the unsolicited proposal shall be exempted from the prequalification process.

### 4.5 Stage 2 – Request for Proposal (RFP)

4.5.1 Only Prequalified Bidders will proceed to the RFP stage.

4.5.2 As per Rule 15A of the SPP Rules, in addition to exemption from prequalification process as stated in section 4.4.2 above, the initiator of the unsolicited proposal shall have the following advantages:

(a) In case the initiator of the unsolicited proposal does not emerge as the lowest bidder, the initiator of the unsolicited proposal shall have the right of first refusal.

(b) The initiator of the unsolicited proposal shall also be entitled to five (05) percent additional weightage on the combined score of technical and financial evaluation.

In case of any ambiguity or further clarity on Rule 15A, the Prospective Bidders may go through Rule 15A of the SPP Rules.

### 4.6 Finalization of Project Documentation

4.6.1 The GoS and the Preferred Bidder will work towards finalization of the Concession Agreement and associated contracts.



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**4.7 Indicative Timeline**

<b>ACTIVITY</b>	<b>TARGET DATE</b>
Issuance of Expression of Interest (“EOI”)	June 09, 2018
Issuance of Prequalification Document	June 12, 2018
Deadline for submission of queries on EOI and Prequalification Documents	June 25, 2018
Deadline for submission of Prequalification Application	July 16, 2018
Anticipated selection of Prequalified Bidder	August 15, 2018



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**5 NOT USED**

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## 6 EVALUATION CRITERIA

### 6.1 BASIC ELIGIBILITY CRITERIA

The Prospective Bidders are required to evaluate themselves under the following “**BASIC ELIGIBILITY CRITERIA**” as to whether they are an ‘eligible bidder’ or not. Ineligibility with the same would make the Prequalification Application non-compliant.

An eligible Bidder is a Bidder (in case of Consortium, applicable to all members) who:

1. Is a local or an internationally registered firm in accordance with the applicable laws.
2. Must not be from a country that is proscribed under the laws, rules or regulations of Pakistan.
3. Must not be blacklisted or debarred by any governmental or non/governmental department/agency
4. Has valid registration certificate for Income Tax, Sales Tax (on goods and services where applicable) or possesses corresponding equivalent certificate from the country of origin.

#### 6.1A Compliant Prequalification Application

Prospective Bidder or in case the Prospective Bidder is a Consortium, the Lead Member of the Consortium, shall **STRICTLY** ensure that:

- a. each page of the Prequalification Application and all documents submitted pursuant to this Prequalification Document are duly signed / initialed by the authorized signatories of the Prospective Bidder along with its stamp or the Lead Member of the Consortium along with its stamp, as the case may be.
- b. each page of the Prequalification Application is correctly numbered in ascending order.
- c. each of the Prequalification Application Forms shall be filled and/or signed in accordance with this Prequalification Document.

Any Prequalification Application not complying with the above requirements shall be deemed to be a non-compliant/non-responsive application and shall not be entitled to be evaluated as per the Evaluation Criteria.

- 6.2 At the Prequalification stage, Prequalification Applications will be evaluated against financial and technical criteria (collectively, the “**Evaluation Criteria**”). These Evaluation Criteria and their weightings with respect to the overall evaluation are as follows:

Evaluation Criteria	Weighting
<b>Financial Capability</b>	<b>60 %</b>
Average annual turnover	20%
Net worth (excluding any surplus on revaluation)	20%
Leverage Ratio (Debt / Debt + Equity)	15%



Financial Statements audited by Category A audit firms on the panel of State Bank of Pakistan	5%
<b>Technical Capability</b>	<b>40 %</b>
Experience of Operating and Managing a Leisure, Entertainment and Hospitality projects	20%
Design Consultant: Theme Park Design Experience	20%

### 6.3 Financial Capability:

In case of a single entity being a Prospective Bidder, the Prospective Bidder shall satisfy all the financial capability criteria individually. In case a Prospective Bidder is a Consortium, all Members of the Consortium shall collectively meet the following criteria as explained below:

#### 6.3.1 Average Annual Turnover:

The Bidder shall have an average annual turnover for last three (03) years as reflected in the annual audited financial statement will be examined.

**(the Bidder shall submit Audited financials for the last three (3) years)**

*In case of a Consortium, the Members of the Consortium collectively as per weighted average must meet the criterion. The proposed shareholding ratios as provided in the Consortium Agreement will be used as weights in calculating the weighted average.*

#### 6.3.2 Net worth:

The Bidder's net worth will be examined as per the latest annual audited financial statement.

*In case of a Consortium, the Members of the Consortium collectively as per weighted average must meet the criterion. The proposed shareholding ratios as provided in the Consortium Agreement will be used as weights in calculating the weighted average.*

#### 6.3.3 Leverage ratio:

The Bidder's leverage ratio (Debt / Debt + Equity) will be calculated as per the latest annual audited financial statement.

*In case of a Consortium, the Members of the Consortium collectively as per weighted average must meet the criterion. The proposed shareholding ratios as provided in the Consortium Agreement will be used as weights in calculating the weighted average.*

#### 6.3.4 Category of Audit Firm:

To achieve score for this criteria, at least financial statements of the last year of the Bidder or in case of a Consortium, each Member of the Consortium, shall be audited by Category A audit firm on the panel of the State Bank of Pakistan.



*For assessment of financial statements in currencies other than Pak Rupee, the exchange rate prevailing on bid submission deadline will be used to convert foreign currency to Pak Rupee.*

#### 6.4 **Technical Capability:**

Specific experience of the projects in leisure, entertainment and hospitality industry will be considered such as theme parks, safari parks, water parks, luna parks, clubs, hotels, recreational facilities, cinemas etc.

In order to be considered for scoring, the Prospective Bidders are required to submit satisfactory evidence/documents of implementation of the projects.

##### 6.4.1 **Experience of Operating and Managing a Leisure or Entertainment or Hospitality or Zoos or Parks Projects**

The projects implemented by the Prospective Bidder in the aforementioned sector will be considered upon submission of satisfactory documentary evidence in the form of written confirmation by the relevant authority or agencies.

In case of a Consortium, experience of all the Members of the Consortium will be evaluated collectively.

##### 6.4.2 **Design Consultant: Theme/Safari Park or Zoo Design Experience**

The specific work experience of the Design Consultant for the design of theme/safari parks or zoo will be evaluated. The Prospective Bidder / Consortium is required to identify a consulting firm for design of the project (in case the design consultant firm is not a Member of the Consortium then a contractual arrangement with the design consultant in the form of MOU or equivalent shall be submitted) and submit the required project related documents. The consultant should submit satisfactory evidence for completion of projects (for instance, completion certificate or similar/equivalent documents) in order to be considered for scoring purposes.

In case there is more than one Design Consultant, the experience of all Design Consultants collectively will be considered.

6.5 The KMC, in association with LGD, reserves the right to change the timing, form and substance of the evaluation procedure at its discretion, without prior notice to the Prospective Bidders and shall be under no liability to Prospective Bidders in respect thereof. Any changes to the procedure will be communicated to the Prospective Bidders as quickly as is practicable.

6.6 On receipt of the Prequalification Applications, each Prequalification Application will be checked for completeness and their compliance with the requirements set out in this Prequalification Document. Non-compliant or incomplete Prequalification Application may be rejected. The Prospective Bidders should thus, carefully review this Prequalification Document and prepare their Prequalification Application strictly in accordance therewith.

#### 6.7 **Scoring criteria:**

Total Marks: 100%

**Qualifying Marks (in technical and financial sections): 60%**



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Criteria	Marks allocated
<b>Financial Capability</b>	<b>60</b>
<b>Average annual turnover (for the last 3 years duly certified)</b>	<b>20</b>
Annual turnover of PKR 1,000 million and above	20
Annual turnover above PKR 750 and below PKR 1,000 million	15
Annual turnover above PKR 500 and below PKR 750 million	10
Annual turnover above PKR 250 and below PKR 500 million	05
<b>Net worth</b>	<b>20</b>
Net worth of PKR 3,000 million and above	20
Net worth above PKR 2,000 million and below PKR 3,000 million	15
Net worth above PKR 1,500 million and below PKR 2,000 million	10
Net worth above PKR 1,000 million and below PKR 1,500 million	05
<b>Firm Leverage (Debt / Debt + Equity)</b>	<b>15</b>
Below 0.40	15
Between 0.49 – 0.40	12
Between 0.59 – 0.50	9
Between 0.69 – 0.60	6
Between 0.79 – 0.70	3
Above 0.79	0
<b>Financial Statements audited by Category A audit firms on the panel of State Bank of Pakistan</b>	
At least financial statements of the last year of the Bidder, or in case of a Consortium, each member of the Consortium, shall be audited by Category A audit firm on the panel of the State Bank of Pakistan.	5

Criteria	Marks allocated
<b>Technical Capability</b>	<b>40</b>
<b>Experience of Operating and Managing a Leisure or Entertainment or Hospitality or Zoos or Parks projects</b>	<b>20</b>
Specific experience of the firm i.e., Operating and Managing a Leisure or Entertainment or Hospitality or Zoos or Parks projects <b><u>during the last 10 years.</u></b>	
10 marks will be awarded if the bidder has experience of operating and managing of at least one leisure or entertainment or hospitality or zoos or parks project for at least three consecutive years.	
05 additional points for each experience of each additional project of operating and managing leisure or entertainment or hospitality or zoos or parks project for at least three consecutive years.	
<b>Design Consultant: Theme Park or Safari Park or Zoos Design Experience</b>	<b>20</b>
Specific experience of the firm i.e. Design of theme/safari parks or zoo executed <b><u>during last 10 years.</u></b>	



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<p>05 marks will be awarded for having experience detailed design of at least one theme/safari parks or zoo each worth PKR 2,000 million or above</p> <p>05 additional points for detailed design of theme/safari parks or zoo each project worth PKR 1,000 million and above</p> <p><i>(Note: Historical exchange rate prevailing on completion of assignment/project will be used to convert foreign currency to PKR)</i></p>	
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## **7 INFORMATION TO BE SUBMITTED IN RESPONSE TO PREQUALIFICATION DOCUMENT**

This Section sets out the minimum information requirements for responses to the Prequalification Document. Prospective Bidders should support their submissions with other information where they believe it is essential to their response to this Prequalification Document.

The minimum list of information to be submitted is set out below. Each Prequalification Application should also be accompanied by the Prequalification Forms attached as Appendix 3A to 3J, completed as required. A failure to respond to any of these elements may result in the Prospective Bidder's submission being non-responsive/non-compliant/disqualified from the Prequalification process. Prospective Bidders should use the list of requirements in this section as the framework for their responses to assist the evaluation of their Prequalification Applications.

### **7.1 BASIC INFORMATION**

7.1.1 Prospective Bidders, in case of a Consortium, each member of the Consortium must provide, using Appendix 3B (Basic Information Form) information on the identity, management structure and organization of the consortium or organization in the case where the Prospective Bidder is a sole organization, including as a minimum, an outline summary of:

- a) Corporate structure and shareholding;
- b) Consortium agreement and/or MOU with the design consultant (if any);
- c) Lead partner identity and contact information; and
- d) Roles and responsibilities of each member of Consortium and/or main subcontractors (design consultant, etc.)

7.1.2 Prospective Bidder or in case Prospective Bidder is a Consortium, each member of the Consortium shall provide using Appendix 3G (List of Key Personnel), details of key team describing their involvement with management and operations of the Project.

7.1.3 In case of a Preferred Bidder is a Consortium, all the Consortium Members shall enter into a Consortium Agreement. Further, each of the Consortium Member shall execute a power of attorney (duly notarized) authorizing the Lead Member in the form provided herein in Appendix 3F (Authorization of Lead Member).

### **7.2 FINANCIAL INFORMATION**

7.2.1 Prospective Bidders or in case Prospective Bidder is a Consortium, each Consortium Member must provide evidence its financial strength by providing:

- a) The audited financial statements for the last 3 years. The financial statements must be in the form as required under the applicable laws and standards;
- b) Where a Prospective Bidder intends to submit its bid through its Parent Company, the audited financial statements for the last 3 years of that the Parent Company; and
- c) Any other information needed to demonstrate financial capacity to provide the relevant services in relation to the Project.



### 7.3 OTHER / SIMILAR PROJECTS

7.3.1 Prospective Bidders are required to identify, using Appendix 3H (Current Contract Commitments) information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued. The current commitments of the Prospective Bidder provides an idea of potential financial obligations which may arise from current projects which the Prospective Bidder is committed to, which are not covered by any financial reporting disclosure requirements included in the information requested above.

7.4 NOT USED

7.5 NOT USED

### 7.6 HISTORY OF LITIGATION, BANKRUPTCY AND BLACKLISTING

7.6.1 The Prospective Bidder, or if the Prospective Bidder is a Consortium, each Consortium member, shall not be subject to any bankruptcy or liquidation proceedings.

7.6.2 The Prospective Bidder, or if the Prospective Bidder is a Consortium, each Consortium member, shall not have been convicted of fraud, corruption, or money laundering.

7.6.3 All pending litigation against the Prospective Bidder or each member of the Consortium (if applicable) in total, shall not represent more than fifty (50) % of the Prospective Bidder's or each member of the Consortium (if applicable) net worth, nor there shall be any litigation that prevents or materially impedes the Prospective Bidder or each member of the Consortium (if applicable) from its obligations in respect of the Project.

7.6.4 The Prospective Bidder, or if the Prospective Bidder is a Consortium, each Consortium member, shall not have been blacklisted by any governmental or non/governmental department/agency

7.6.5 If the KMC and/or the LGD determine that the bidder, sub-contractors, sub-consultants, services providers and suppliers has engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices, in competing for this Project or if it finds at any time that the information submitted by the Prospective Bidder was false and materially inaccurate or incomplete, then the KMC and/or LGD may blacklist /disqualify the prospective bidder in accordance with the SPP Rules. Any personnel of the bidder, who engages in corrupt, fraudulent, collusive, coercive, or obstructive practice during the execution of the Project, shall be removed in accordance with SPP Rules.

### 7.7 PREQUALIFICATION FORMS

The Prospective Bidder shall submit the following forms in relation to the Prequalification Application:

- Appendix 3A: Prequalification Application Form
- Appendix 3B: Basic Information Form
- Appendix 3C: Power of Attorney



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- Appendix 3D: Affidavit
- Appendix 3E: Integrity Pact
- Appendix 3F: Authorization of Lead Member (if applicable)
- Appendix 3G: List of Key Personnel
- Appendix 3H: Current Contract Commitments
- Appendix 3I: Financial Data Form
- Appendix 3J: Parent Company Letter of Support (if applicable)



## 8 PROJECT LIAISON AND COMMUNICATION

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8.1 The contact details of the primary person designated for this Prequalification Document is:

Designation: **Metropolitan Commissioner**

Department: Karachi Metropolitan Corporation, Government of Sindh

Address: MC Secretariat, Room No.19, 2<sup>nd</sup> Floor, KMC Head Office M.A Jinnah Road, Karachi

Telephone: +92 (21) 99215795

Fax: . +92(21) 99216724

8.2 Each Prospective Bidder should nominate a representative with whom the KMC and/or LGD should liaise and provide the representative's details including designation and all relevant contact details.

### 8.3 **BIDDER CLARIFICATION AND COMMUNICATION PROCESS**

If any Prospective Bidder requires any further information or wishes to raise a clarification, such requests should be addressed to Metropolitan Commissioner on or before the date specified in Section 4.7 (*Deadline for submission of queries*) who will endeavour to answer all such requests as soon as possible in accordance with the timelines specified in this Prequalification Document.



## 9 PREQUALIFICATION APPLICATION SUBMISSION

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- 9.1 Prequalification Application shall be submitted in a sealed envelope no later than 01:00 pm on 16<sup>th</sup> July 2018 to the following address, and marked for the attention of:

Designation: **Metropolitan Commissioner**

Department: Karachi Metropolitan Corporation, Government of Sindh

Address: MC Secretariat, Room No.19, 2<sup>nd</sup> Floor, KMC Head Office M.A Jinnah Road, Karachi

Telephone: +92 (21) 99215795

Fax: +92(21) 99216724

- 9.2 The Prequalification Application must not be qualified in any way apart from as allowed under the Prequalification Document and must be submitted strictly in accordance with the SPP Rules and the conditions stipulated in this Prequalification Document.
- 9.3 **Prospective Bidder shall ensure that each page of the Prequalification Application and all documents submitted pursuant to this Prequalification Document is duly signed / initialled by the authorized signatories of the Prospective Bidder along with its stamp. In case the Prospective Bidder is a Consortium, the Lead Member of the Consortium shall ensure that each page of the Prequalification Application and all documents submitted pursuant to this Prequalification Document is duly signed / initialled by the authorized signatories of the Lead Member along with stamp of the Lead Member. Any Prequalification Application not complying with this requirement may lead to ineligibility / disqualification of the Prospective Bidder.**
- 9.4 **Prospective Bidders shall complete and submit their Prequalification Application in the format described below:**
- 9.4.1 **Three (3) hard copies shall be submitted, preferably in the form of fixed binding folder; and**
- 9.4.2 **One (1) CD / DVD of the completed Prequalification Application and all other supporting documents (if any);**
- 9.5 Any Prequalification Application or other further supporting documents received after the Prequalification Application Deadline will not be considered for acceptance by KMC and LGD.
- 9.6 All Prequalification Applications and other supporting documents shall be completed in black or blue ink or typed, in the English language and state all monetary amounts in Pakistani Rupee (PKR).
- 9.7 The Prequalification Application must be signed by the representative of a Prospective Bidder, authorized by the Prospective Bidder under a duly notarized power of attorney. In case the Prospective Bidder is a Consortium, the Prequalification Application must be signed by the representative of the Lead Member, duly authorized by all the Consortium Members under duly notarized power of attorney(ies) in accordance with Annexure 3C (Power of Attorney). Copy(ies) of such power of attorney(s) shall be provided with the Prequalification Applications.



## **10 CONDITIONS OF PREQUALIFICATION APPLICATION**

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### **10.1 PRELIMINARIES**

- 10.1.1 Prospective Bidders are invited to submit a response to the Prequalification Document for the Project.
- 10.1.2 Prospective Bidders are responsible for obtaining all information necessary for the preparation of their Prequalification Applications.
- 10.1.3 All costs, expenses and liabilities incurred by any Prospective Bidder in connection with the preparation and submission of Prequalification Applications shall be borne by that Prospective Bidders.

### **10.2 CONFIDENTIALITY**

- 10.2.1 All information provided by the KMC and LGD in connection with the Prequalification Document shall be treated as confidential and Prospective Bidders shall not, without the prior written consent of the KMC, at any time make use of such information for its own purposes or disclose such information to any person (except as may be required by law).
- 10.2.2 The Prequalification Document and every part of it and all other information provided by or on behalf of KMC and LGD must be treated as private and confidential. Prospective Bidders should not disclose the fact that they have been invited to submit a Prequalification Applications or release any details to any third party.
- 10.2.3 Prospective Bidders shall not at any time release any information concerning the Prequalification Document and/or their Prequalification Applications and/or any related documents and/or any negotiation and/or discussion with KMC and LGD in this connection for publication in the press or on radio, television, screen or any other medium.
- 10.2.4 The Prequalification Document and all documents and information provided by or to the Prospective Bidders relating to this procurement process will remain the property of the KMC and LGD. Furthermore, the KMC and/or LGD reserve the right to retain all Prequalification Applications and associated information and documentation submitted in support by the Prospective Bidders and their respective Consortium Members.
- 10.2.5 Each Prospective Bidder should indemnify KMC and LGD and keep the KMC and LGD indemnified against all actions, claims, demands, liability, proceedings, damages, costs, charges and expenses whatsoever arising out of or in connection with the provisions of this Prequalification Document.

### **10.3 REJECTION OF BIDDERS**

- 10.3.1 Any Prequalification Application or other documents submitted by any Prospective Bidder in respect of which the Prospective Bidder:



- (a) communicates to any person other than KMC and LGD any information except in accordance with Section 10.2 above; or
- (b) enters into any agreement or arrangement with any other person that such other person shall refrain from submitting Prequalification Application or shall limit or restrict the amounts, prices, charges and rates to be shown by any other Bidder in its Prequalification Application and other documents; or
- (c) offers or agrees to pay or give, or does pay or give, any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Bidder or any other proposed Prequalification Application or other documents any act or omission; or
- (d) has directly or indirectly canvassed any member or official of the KMC and LGD concerning the acceptance of any Bids or has directly or indirectly obtained or attempted to obtain information from any such member or official concerning any other Bids or proposals submitted by any other Bidder,

shall not be considered for acceptance and shall accordingly be rejected by KMC and LGD provided always that such non-acceptance or rejection shall be without prejudice to any other civil remedies available to KMC and LGD in respect thereof or to any criminal liability that such conduct by a Bidder may attract.

#### 10.4 NON-CONSIDERATION OF PREQUALIFICATION APPLICATION

10.4.1 The KMC and LGD may in its absolute discretion refrain from considering Prequalification Application if either, in any respect it does not comply with the requirements of the Prequalification Document including these instructions, or the Prequalification Application contains any significant omissions or is not submitted in accordance with the instructions set out in this Prequalification Document.

#### 10.5 PRE-QUALIFICATION OF BIDDERS

10.5.1 The KMC and LGD reserve the right to pre-qualify any Prospective Bidder whose Prequalification Application is pursuant to the Prequalification Document.

10.5.2 The KMC and LGD shall not be bound to pre-qualify any Prospective Bidder and reserves to itself the right at its absolute discretion to pre-qualify or not pre-qualify any Prospective Bidder.

10.5.3 The KMC and LGD may, in its absolute discretion and without further reference to any Prospective Bidder:



- (a) conduct reference, credit or other checks with any or all of the references and other sources cited in the Prequalification Application;
- (b) independently verify any information regarding a Prospective Bidder, including its directors, and officers, any member of the Prospective Bidder, any consortium members and any key individuals, whether or not contained in any Prequalification Application;
- (c) conduct any background investigations that it considers necessary or desirable in the course of the competitive selection process;
- (d) seek clarification, more complete, supplementary, and additional information or documentation from the Prospective Bidder or in connection with this Prequalification Document, if the KMC and/or LGD consider that any Prequalification Application or any part of the Prequalification Application requires clarification or more complete information, contains an alteration, qualification, omission, inaccuracy or misstatement, or does not for any reason whatsoever comply with any requirements of this Prequalification Document.

#### 10.6 **BIDDER'S WARRANTIES**

10.6.1 In submitting its Prequalification Application, each Prospective Bidder warrants, represents and undertakes to KMC and LGD that:

- (a) It has complied with all the requirements set out in this Prequalification Document;
- (b) All information, representations and other matters of fact communicated (whether in writing or otherwise) to KMC and LGD by the Prospective Bidder, its employees or agents in connection with or arising out of the Prequalification Application are true, complete and accurate in all respects;
- (c) It has made its own investigations and research and has satisfied itself in respect of all matters (whether actual or contingent) relating to the Project and the Prequalification Application; and
- (d) It has satisfied itself as to the correctness and sufficiency of the information it has inserted in the Prequalification Application and included in other submitted information.



## **11 DISCLAIMER**

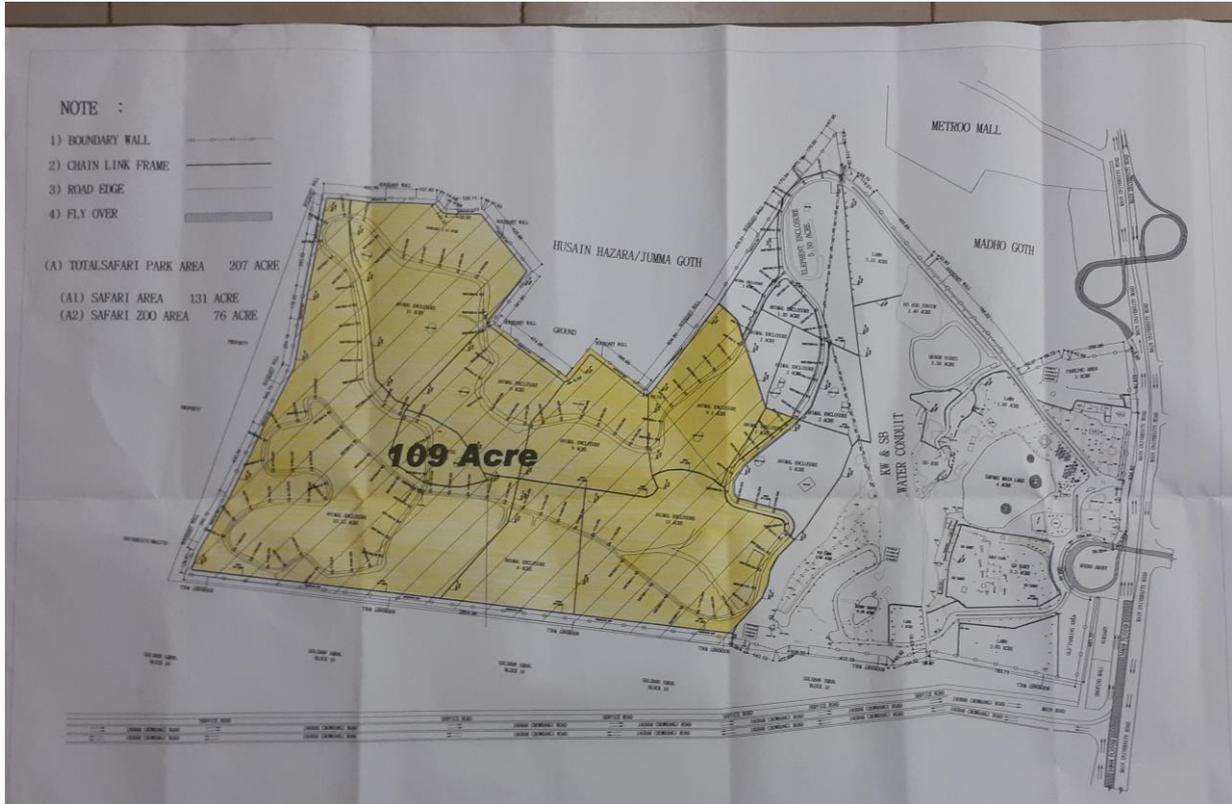
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- 11.1 Prospective Bidders are responsible for obtaining all information necessary for the preparation of their Prequalification Applications. All costs, expenses and liabilities incurred by any Prospective Bidder in connection with the preparation and submission of the Prequalification Applications and for attending any meetings in connection with its Prequalification Application shall be borne by the Prospective Bidders.
- 11.2 Whilst the KMC and LGD will use their reasonable endeavours to see that all information given to the Prospective Bidders is both truthful and accurate, the KMC and LGD in no way warrant or accept any liability for the same and Prospective Bidders must satisfy themselves of the accuracy of any information provided by the KMC and LGD and that the same is both truthful and accurate. The KMC and LGD accept no responsibility or liability whatsoever for any cost, loss or damage of whatever kind and howsoever caused arising from or in consequence of the use by Prospective Bidders of such information.



Request for pre-qualification  
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APPENDIX 1 –LOCATION MAP





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**APPENDIX 2 – DATA SHEET**

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

<b>1</b>	<b>Project Name</b>	<b>KMC Theme &amp; Safari Park</b>
<b>2</b>	<b>Address and Contact Person of Contracting Authority</b>	<b>Metropolitan Commissioner</b> Karachi Metropolitan Corporation
<b>3</b>	<b>Address for Submission of Prequalification Applications</b>	MC Secretariat, Room No.19, 2nd Floor, KMC Head Office M.A Jinnah Road, Karachi
<b>4</b>	<b>Prequalification Application Submission Deadline</b>	16 <sup>th</sup> July 2018
<b>5</b>	<b>Language of Prequalification Application</b>	English
<b>6</b>	<b>Number of Copies of Prequalification Application</b>	Three (3) printed hard copies shall be submitted preferably in the form of fixed binding folder; one (1) electronic copy (DVD or CD); and all other supporting documents.



Request for pre-qualification  
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### APPENDIX 3 – PREQUALIFICATION APPLICATION FORMS

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#### APPENDIX 3A PREQUALIFICATION APPLICATION FORM

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[On letterhead of Lead Member]

**To: Karachi Metropolitan Corporation, Government of Sindh**  
Metropolitan Commissioner  
MC Secretariat, Room No.19, 2nd Floor, KMC Head Office M.A Jinnah Road, Karachi  
Tel: +92 (21) 99215795  
Fax: +92(21) 99216724

**Re: KMC Theme and Safari Park Project (the “Project”).**

[Date]

Dear [Sir/Madam],

Pursuant to the Prequalification Document dated [Please insert the relevant date], the [Name of Prospective Bidder or the Lead Member on behalf of the Consortium comprising \_\_\_\_\_], [name and address of the registered office]] hereby submits its/their Prequalification Application in conformity with 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 Bidder or the Lead Member] hereby confirms that:

- (a) it 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) it accepts the right of KMC and/or LGD 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) it accepts the exclusive application of the federal laws of Pakistan and provincial laws of Sindh with respect to these prequalification procedures;
- (d) it fully and completely understands and accepts the terms of the Prequalification Document and hereby undertakes to comply with the same;
- (e) it has not done any of the acts or matters referred to in Section 10 of the Prequalification Document and has complied in all respects with this Prequalification Document;
- (f) all information, representations and other matters of fact communicated (whether in writing or



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otherwise) to KMC and/or LGD by the Prospective Bidder, its employees or agents in connection with or arising out of the Prequalification Application are true, complete and accurate in all respects;

- (g) it has made its own investigations and research and has satisfied itself in respect of all matters (whether actual or contingent) relating to the Prequalification Application; and
- (h) it has satisfied itself as to the correctness and sufficiency of the information it has inserted in the Prequalification Application and included in other submitted information.

*[Name of Prospective Bidder or the Lead Member]* 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 Bidder or Lead Member of the Consortium and our other Consortium members as mentioned above]*, 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 Bidder or Lead Member of the Consortium and our other Consortium members as mentioned above]*, 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 (Appendix 3B)
- (b) Power of Attorney (Appendix 3C);
- (c) Affidavit (Appendix 3D);
- (d) Integrity Pact (Appendix 3E);
- (e) Authorization of Lead Member (Appendix 3F);
- (f) List of Key Personnel (Appendix 3G)
- (g) Current Contract Commitments/ Work in Progress (Appendix 3H);
- (h) Financial Data Forms (Appendix 3I)
- (i) Parent Company Letter of Support (if relevant) (Annexure 3J);
- (j) Other documents required in the Prequalification Document.



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[*Name of Prospective Bidder or the Lead Member*] 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 Bidder or the Lead Member of the Consortium*]



Request for pre-qualification  
for KMC Theme and Safari Park Project

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**APPENDIX 3B**  
**BASIC INFORMATION FORM**

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**PROSPECTIVE BIDDER INFORMATION:**

Name:  
Type: (Corporation, Partnership, etc.)  
Company Incorporation No:  
Address of principal office:  
Telephone number:  
Fax number:  
E-mail address:  
Primary areas of business:  
Pattern of Shareholding:

**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 6 of the Prequalification Document)**

Name:  
Type: (Corporation, Partnership, etc.)  
Company Incorporation No.:  
Address of principal office:  
Telephone number:  
Fax number:  
E-mail address:  
Primary areas of business:  
Pattern of Shareholding:



**APPENDIX 3C  
POWER OF ATTORNEY**

[On Stamp Paper]  
[To be notarized]

Know all men by these presents, we, \_\_\_\_\_ [*name and address of the registered office*] do hereby constitute, appoint and authorize Mr./Ms. \_\_\_\_\_ [*name and residential address*] who is presently employed with [*us or the Lead Member of our Consortium*] and holding the position of \_\_\_\_\_ as our Attorney, to do in our name and on our behalf, all or any of the acts, deeds or things necessary or incidental to the our bid for the project envisaging establishment, operations and management of KMC Theme and Safari Park (the “**Project**”), including submission of application / proposal (including Prequalification Application), participating in conferences, responding to queries, submission of information / documents and generally to represent us in all its dealings with Authority, any other Government entity or any person, in connection with the Project until culmination of the process of bidding and thereafter till the execution of relevant Project documents with Authority as mandated by the Prequalification Document.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

**For and on behalf of** [insert name of the relevant Lead/Consortium Member]

Signature \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**Signature of the Attorney** \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address of the Attorney: \_\_\_\_\_  
\_\_\_\_\_

**Witnesses**

1. Signature: \_\_\_\_\_

Name: \_\_\_\_\_



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for KMC Theme and Safari Park Project*

CNIC No.: \_\_\_\_\_

2. Signature: \_\_\_\_\_

Name: \_\_\_\_\_

CNIC No.: \_\_\_\_\_

**Note:**

- i) In case of a consortium, to be executed by all members of the consortium in favor of the attorney appointed by the Lead Member of the consortium.
- ii) The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.
- iii) For a power of attorney executed and issued overseas, the same will also have to be legalized by the Pakistan Embassy and notarized in the jurisdiction where the power of attorney is being issued.



**APPENDIX 3D**  
**FORMAT OF AFFIDAVIT**

[On Stamp Paper]  
[To be notarized]

Date: \_\_\_\_\_

[•]  
[•]  
[Address]

We, *[insert name of the Prospective Bidder]*,

Or

We, *[in case the Prospective Bidder is a Consortium, insert name of each Member of the Consortium being members of a Consortium formed through a Consortium Agreement dated \_\_\_\_\_ for or in relation to the project envisaging establishment, operations and management of KMC Theme and Safari Park (the “Project”)]*, hereby represent and warrant that, as of the date of this Affidavit, each member of our Consortium:

- 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 required to undertake the KMC Theme & Safari Park Project; and
- d. is not blacklisted by any governmental or non-governmental department/agency.

It is further represented and confirmed that all pending litigation against *[us]* or *[each member of our Consortium]* in total does not represent more than fifty (50) % of *[ours]* or *[each member of our consortium’s]* net worth, nor is there by any litigation that prevents or materially impedes *[us]* or *[each member of our consortium]* from its obligations in respect of the Project.

We have also attached proof of registration of each Member of the Consortium, if applicable, from the relevant statutory authority.

Yours sincerely,

**For and on behalf of** **[insert name of the Lead Member]**

Signature \_\_\_\_\_



*Request for pre-qualification  
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Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**For and on behalf of [insert name of the Consortium Member]**

Signature \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**For and on behalf of [insert name of the Consortium Member]**

Signature \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

***Note: The Affidavit is to be signed on behalf of all members of the Consortium.***



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**APPENDIX 3E  
INTEGRITY PACT**

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[On Stamp Paper]  
[To be notarized]

**DECLARATION OF FEES, COMMISSIONS AND BROKERAGE, ETC. PAYABLE BY THE CONCESSIONAIRES OF GOODS, SERVICES & WORKS**

*[Insert Name of the Prospective Bidder or Lead Member of Consortium on behalf of the Consortium comprising* \_\_\_\_\_,

\_\_\_\_\_ *[name and address of the registered office]]* (the “**Bidder**”) hereby declares its intention not to obtain or induce the procurement of any contract, right, interest, privilege or other obligation or benefit through any corrupt business practice from the Government of Pakistan, the Government of Sindh, any local government, any administrative subdivision or agency of any of the foregoing or any other entity owned or controlled by any of the foregoing (each a “**Government Agency**”).

Without limiting the generality of the foregoing, the Bidder represents, warrants and covenants that it has fully declared the brokerage, commission, fees etc. paid or payable to anyone and not given or agreed to give and shall not give or agree to give to anyone within or outside Pakistan either directly or indirectly through any natural or juridical person, including the Bidder’s affiliates, agents, associates, brokers, consultants, directors, promoters, shareholders, sponsors or subsidiaries, any commission, gratification, bribe, finder’s fee or kickback, whether described as consultation fee or otherwise, with the object of obtaining or including the procurement of a contract, right, interest, privilege or other obligation or benefit in whatsoever form from any Government Agency, except that which has been expressly declared pursuant by the Bidder beforehand.

The Bidder certifies that it has made and will make full disclosure of all agreements and arrangements with all persons in respect of or related to any transaction with any Government Agency and has not taken any action or will not take any action to circumvent the above declaration, representation, or warranty or covenant.

The Bidder accepts full responsibility and strict liability for making any false declaration, not making full disclosure, misrepresenting facts or taking any action likely to defeat the purpose of this declaration, representation, warranty and covenant. The Bidder agrees that any contract, right, interest, privilege or other obligation or benefit obtained or procured as aforesaid shall, without prejudice to any other right and remedies available to any Government Agency under any law, contract or other instrument, be voidable at the option of the relevant Government Agency and/or the Government of Sindh.

Notwithstanding any rights and remedies exercised by any Government Agency in this regard, the Bidder agrees to indemnify the relevant Government Agency and the Government of Sindh and the Karachi Metropolitan Corporation and Local Government Department, Government of Sindh for any loss or damage incurred by it on account of the Bidder’s corrupt business practices and further to pay compensation to the relevant Government Agency and /or the Government of Sindh in an amount equivalent to ten times the sum of any commission, gratification, bribe, finder’s fee or kickback given by the Bidder as aforesaid for the purpose of obtaining or inducing the procurement of any contract, right, interest, privilege or other obligation or benefit in whatsoever form from any Government Agency.



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For and on behalf of the Bidder:

Signature of Authorized Signatory: \_\_\_\_\_  
Name and Title of Signatory: \_\_\_\_\_  
Name of Firm: \_\_\_\_\_  
Address: \_\_\_\_\_

Witness 1:

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
CNIC/Passport No.: \_\_\_\_\_

Witness 2:

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
CNIC/Passport No.: \_\_\_\_\_



**APPENDIX 3F**  
**AUTHORIZATION OF LEAD MEMBER**

[On Stamp Paper]  
[To be notarized]

**POWER OF ATTORNEY**

**WHEREAS**, the Karachi Metropolitan Corporation, Government of Sindh in association with the Local Government Department, Government of Sindh (the “**Authority**”) has invited Prequalification Applications from interested parties for the procurement, establishment, operations and management of the KMC Theme and Safari Park (“the **Project**”).

**AND WHEREAS**, M/s \_\_\_\_\_, M/s \_\_\_\_\_, M/s \_\_\_\_\_ (hereinafter individually referred to as “**Consortium Member**” and collectively as “**Consortium**”) have formed a Consortium pursuant to a Consortium Agreement dated \_\_\_\_\_ and are interested in bidding for the Project and implementing the Project in accordance with the terms and conditions of the Prequalification Document in respect of the Project.

**AND WHEREAS**, it is necessary for the Consortium Members under the Prequalification Document to designate one of them as the lead member with all necessary power and authority to do for and on behalf of the Consortium, all acts, deeds and things as may be necessary in connection with the Consortium bid for the Project including but not limited to Prequalification Application.

*All capitalized terms used but not defined herein shall have the meaning ascribed thereto in the Prequalification Document in relation to the Project.*

**NOW THIS POWER OF ATTORNEY WITNESSETH THAT** we, M/s \_\_\_\_\_, M/s \_\_\_\_\_, M/s \_\_\_\_\_ [*the respective names and addresses of the registered offices*] do hereby designate, nominate, constitute, appoint and authorize M/s \_\_\_\_\_ being one of the members of the Consortium, as the lead member of the Consortium (“**Lead Member**”) and true and lawful attorney of the Consortium and hereby irrevocably authorize the Lead Member (with power to sub-delegate), to do on behalf of the Consortium, all or any of the acts, deeds or things necessary or incidental to the Consortium bid for the Project, including submission of application / proposal (including Prequalification Application), participating in conferences, responding to queries, submission of information / documents and generally to represent the Consortium in all its dealings with Authority, any other Government entity or any person, in connection with the Project until culmination of the process of bidding and thereafter till the execution of relevant Project documents with Authority as mandated by the Prequalification Document.

We hereby agree to ratify all acts, deeds and things lawfully done by the Lead Member pursuant to this Power of Attorney and that all acts deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by the Consortium.

Dated this the \_\_\_\_\_ Day of \_\_\_\_\_ 2018



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**(Executants)**

**For and on behalf of [insert name of the Lead Member]**

Signature \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**For and on behalf of [insert name of the Consortium Member]**

Signature \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**For and on behalf of [insert name of the Consortium Member]**

Signature \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

**Signature of the Attorney** \_\_\_\_\_

Name, Title and: \_\_\_\_\_  
Address of the attorney: \_\_\_\_\_  
\_\_\_\_\_



*Request for pre-qualification  
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**Witnesses**

3. Signature: \_\_\_\_\_

Name: \_\_\_\_\_

CNIC No.: \_\_\_\_\_

4. Signature: \_\_\_\_\_

Name: \_\_\_\_\_

CNIC No.: \_\_\_\_\_

(To be executed by all Members of the Consortium)

**Note:** The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, lay down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.

For a power of attorney executed and issued overseas, the same will also have to be legalized by the Pakistan Embassy and notarized in the jurisdiction where the power of attorney is being issued.



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**APPENDIX 3G  
LIST OF KEY PERSONNEL**

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Request for pre-qualification  
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**APPENDIX 3H**  
**CURRENT CONTRACT COMMITMENTS / WORKS IN PROGRESS**

Prospective Bidders or in case Prospective Bidder is a Consortium, each Consortium Member shall provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

S. No	Project Name	Sector	Brief Description (including the name of contracting authority)	Current Stage / Status of the Project (Closed / Ongoing)	Estimated duration of the Project	Estimated Value of the Project



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**APPENDIX 3I**  
**FINANCIAL DATA FORM**

**(I) FINANCIAL STANDING**

S No.	Topic	Financial Year 1	Financial Year 2	Financial Year 3	Average

Kindly also attach the audited financial statements of the Prospective Bidder or the Parent Company (where applicable), duly audited and certified by a chartered accountant, for the most recent three (3) full financial years for which such statements are available, including the consolidated balance sheet, income statement, statement of cash flows, statement of changes in equity and the accompanying notes.



Request for pre-qualification  
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APPENDIX 3J  
PARENT COMPANY LETTER OF SUPPORT

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**To:** **Karachi Metropolitan Corporation, Government of Sindh**  
**Metropolitan Commissioner**  
Karachi Metropolitan Corporation, Government of Sindh  
MC Secretariat, KMC,  
Room No.19, 2nd Floor, KMC Head Office M.A Jinnah Road, Karachi.

**Re:** Establishment, operations and management of KMC Theme & Safari Park (the "**Project**").

[Date]

Dear [Sir/Madam],

We refer to the prequalification document issued by the Karachi Metropolitan Corporation in association with Local Government Department, Government of Sindh dated [●] ("**Prequalification Document**"), inviting prequalification applications from Prospective Bidders for the execution and completion of a Project involving the establishment, operations and management of KMC Theme & Safari Park Project (the "**Project**").

According to the Section 1.7.3 of the Prequalification Document (*Financial Criteria - Submission of Evidence from Parent Company*), the Prospective Bidder, or if the Prospective Bidder is a Consortium, at least one of the Consortium members, may choose to present financial statements from a Parent Company to satisfy Evaluation Criteria.

For this purpose, the "the Parent Company" means any corporate entity controlling the Prospective Bidder, or if the Prospective Bidder is a Consortium, the relevant Consortium member, and "Control" means having, directly or indirectly, a majority of the voting securities and a majority representation in the Board of Directors (or other similar constituent body) of the given corporate entity.

In consideration of the above, we hereby confirm and undertake that:

- (i) we are the Parent Company of [name of subsidiary], which is seeking to prequalify for the Project as [Prospective Bidder/Consortium Member]; and
- (ii) we will make available sufficient funds to [name of subsidiary] to enable it to meet its obligations as the shareholder of the Concessionaire and otherwise act as a prudent and careful Project sponsor.

Except where the context requires otherwise, capitalized terms used in this letter shall have the meaning ascribed thereto in the Prequalification Document.

Yours faithfully,



*Request for pre-qualification  
for KMC Theme and Safari Park Project*

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**[Name of Parent Company]**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
(Authorized signatory)