

The Punjab Masstransit Authority

Record of Meeting

Agenda	CLARIFICATION MEETING FOR PRE-QUALIFICATION FOR HIRING OF BUS OPERATORS FOR“PROCUREMENT, OPERATION AND MAINTENANCE OF BUSES FOR PMA SYSTEMS”		
Date:	19 th December, 2023		
Venue	Committee Room, Punjab Masstransit Authority	Chair:	Mr. Muhammad Ozair Shah, General Manager (Operations), PMA

List of Participants:

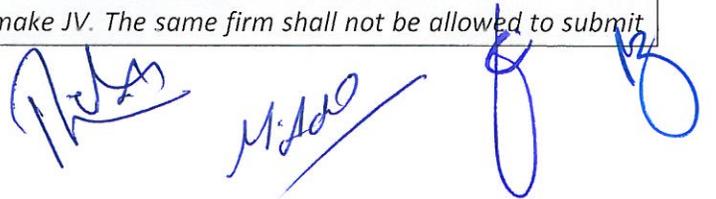
1. Mr. Farooq Sadiq, Secretary PMA
2. Mr. Rizwan Aziz, Manager Operation (Technical), PMA
3. Mr. Rahman Afzal, Manager Finance, PMA
4. Mr. Muhammad Adil Mumtaz, Deputy Manager Operations, PMA
5. Mr. Kamran Ihsan, TDM TPU, Transport Department
6. Mr. Shokat Ali Rana, Chief Instructor, TEVTA
7. Mr. Cenil Senocak, Director Albayrak Company
8. Mr. Salman. W. Shaheen, Telephone Industry Pakistan (TIP)
9. Mr. Khurram Mirza, Vice President, Daewoo Pakistan Express Bus Service
10. Mr. Hafiz Usman Farooq, Daewoo Pakistan Express Bus Service
11. Mr. Waleed Ahmad Saeed, Daewoo Pakistan Express Bus Service
12. Mr. Tan Zidong, CEO, NORINCO Pakistan
13. Mr. MAO, WM, NORINCO Pakistan
14. Mr. Waqar Haider, Group Head, Faisal Movers (F.M Express)
15. Mr. Qurban Abbas, Sr. Manager Operations, Faisal Movers (F.M Express)
16. Representatives from Guangzhou Urban Transport China (through Video Link)
17. Representative Guangzhou Metro Group

DECISIONS / DISCUSSIONS

The meeting started at 1500 hours. The Mr. Muhammad Ozair Shah, General Manager Operations, PMA formally welcomed the participants and started the meeting. He presented the general scope of work followed by Manager Operations (Technical) who briefed participants about EOI/PQ Documents in detail. Question and Answer session was conducted afterwards. Detailed Minutes of Meeting are attached as **Annex A**. The list of participants is attached as **Annex B**. The meeting ended at 1630 Hours with a note of “Thanks”

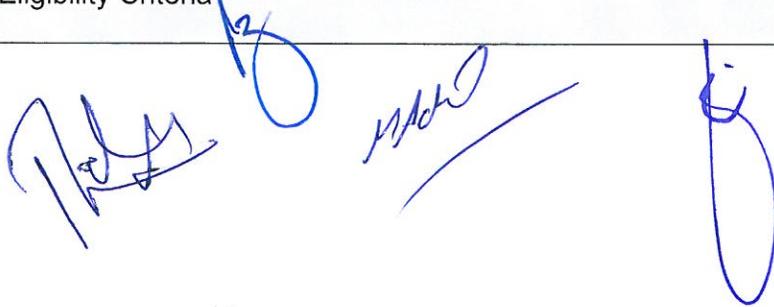
All prospective applicants are hereby informed of a typographical error in **Para 4 (Page No. 4)** of the section titled “**Prequalification Document (PQD)**” which is reproduced with corrections highlighted in yellow as under:-

“Maximum three (03) numbers of firms are allowed to make JV. The same firm shall not be allowed to submit



EOI individually and in JV with any other firm. Every JV shall be unique. An Agreement Deed legally executed to that effect, or a Memorandum of Understanding (MOU), signed by all the partners shall be submitted with the EOI. One partner will be designated as lead partner who shall be a local registered firm with SECP **or Registrar of Firms** having proven track record and relevant experience in transport sector. A power of attorney to that effect, legally executed, signed by all the partners shall be submitted with the EOI. All the partners shall be jointly and severally liable for the execution of the Contract in accordance with the terms and conditions of the Contract”

After the aforementioned typo correction, the referred Para is consistent with the requirements already specified in the Eligibility Criteria

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Sr. No	QUERIES / COMMENTS	PMA'S RESPONSE
Guangzhou Urban Transport China		
01.	In EOI/PQ Documents under Evaluation Criteria, more than 5 years of experience in bus operation is required. In case if multiple firms with more than 5 years of experience have merged into one new legal entity and existence of such entity has been realized only for 02 years with the same experience, would experience of this new legal entity be considered more than 05 years based on the experience of merged firms?	No. The experience of new legal entity will be considered as 02 years only; However, the new legal entity may form a Joint Venture to fill its gap in experience.
02	Company has all relevant documents in Chinese language. Are they acceptable in Chinese language or need their English Translation. In case of English Translation than what is the acceptable procedure of their translation into English Language. Moreover, translation of documents will take longer time can PMA extend the submission date.	In case of documents in Chinese language, firm shall submit EOI with documents in Chinese language along with their attested translation in English language. The EOI submission date shall not be extended.
03	Submission of documents through email is acceptable.	No, the EOI must be submitted in hard form and as per requirements stated in the Prequalification Document
Daewoo Pakistan Express Bus Service		
01	Scope of Work Does this EOI cover current and future projects of PMA for the coming 3 years?	Yes
02.	Eligibility Criteria Serial No. 2 Serial NO. 2 is missing in the section Eligibility Criteria. Please clarify	It is typographical error. Please consider them in series.
03.	Eligibility Criteria Registered for at least 5 years in country of origin, and has proven experience in transport sector Please clarify if minimum of 5 year's transport sector experience is also required along with 5 years of registration or only registration as a	A registration for 05 years and experience in the transport sector of any length of time is acceptable for eligibility

	firm/company	
04.	After how much time PMA will plan to repeat this prequalification procedure.	PMA will repeat this prequalification process after every 06 months.

Faisal Movers (F.M Express)

01	<p>We, FM Express (Faisal Movers), appreciate the opportunity to participate in the tender process and have carefully reviewed the eligibility criteria outlined in the tender document. While we are confident in our capabilities as a top service provider in our sector, we have identified concerns regarding the mandatory registration with the Security and Exchange Commission of Pakistan (SECP). In this lieu,</p> <p>1- We would like to highlight the flaws in the qualification criteria established for the bidding process, which were very disproportionate and unduly restrictive. The stringent conditions imposed on potential bidders have limited competition, ultimately hindering the chances of fair and transparent procurement. Laws of our country do not restrict any business form to run a competitive business, be it a company, a firm, or a sole proprietorship. It is notable that freedom of doing a legal business in whichever format is protected by the Constitution of Pakistan. However, for this project of very important public interest, the criteria were restricted only to corporate entities. The qualification criteria should have been based on objective and reasonable factors that reflect the specific requirements of the project, rather than favoring a particular bidder or limiting the pool of eligible participants. Additionally, we, FM Express (Faisal Movers), are a high-value sole proprietor company, but the EOI/PQD did not allow the inclusion of sole proprietor companies. In the field, most companies operate through sole proprietorships, and we believe that excluding such entities may limit the participation of qualified and capable service providers.</p>	Request is denied
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2- As per the previous tender of the PMA, logistics companies were also allowed to comply with the criteria, and the Multan feeder route is being run by a Logistics Company successfully based on the old pre-qualification criteria of the PMA. We kindly request that the eligibility criteria for this tender be aligned accordingly, allowing logistics companies also who meet the specified criteria to participate. This adjustment will ensure consistency and facilitate the inclusion of experienced logistics companies in the bidding process.

3- We are curious about the need for 5 years of experience. Our operations suggest that a 3-year experience would fit the project well. Could you help us understand why PMA prefers a 5-year requirement? A 3-year criterion has worked for similar needs in the industry, and we believe this clarity will support a fair and inclusive bidding process.

4- We are of the view that condition set-in for the qualification for this project are in clear contravention of Clause 32 of PPRA Rules which clearly lays the guideline for setting up the qualification criteria for a project as under:

Federal Public Procurement Rules 2004 and Punjab PPRA Rules 2014, specifically under Section 32 titled "Discriminatory and difficult conditions," no procuring agency should introduce conditions that discriminate between bidders or are considered difficult to meet. The relevant section states:

Discriminatory and difficult conditions.- Save as otherwise provided, no procuring agency shall introduce any condition, which discriminates between bidders or that is considered to be

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met with difficulty. In ascertaining the discriminatory or difficult nature of any condition, reference shall be made to the ordinary practices of that trade, manufacturing, construction business, or service to which that particular procurement is related."

□ Therefore, we feel PE's "failure to provide for an unambiguous evaluation criteria in the bidding documents shall amount to mis-procurement." (Reference Rule 29 of PPRA 2004 and Rule 31(2) of Punjab PPRA 2014).

FM Express (Faisal Movers) is Pakistan's largest public transport company being a legitimate business organization since 2003, doing business in the public transport sector started with a volume of just Rs 4 Million per annum & gaining tremendous success within 20 years by enjoying Rs 3300 Million turnover per annum without any legal observation by any concerning Government department of Pakistan. We believe that the mandatory requirement for registration with SECP may be considered discriminatory, as it deviates from ordinary practices within our sector and prevailing all business practices in Pakistan.

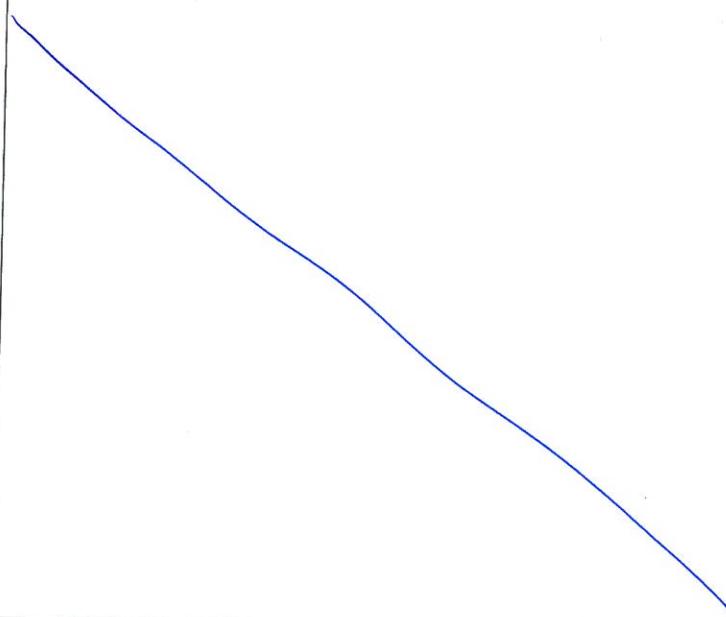
FM Express (Faisal Movers) is already enjoying its success in below projects:

- a) CDA Orange Line Metro bus service Islamabad (**Technically Qualified and Operational**)
- b) CDA Blue Line and Green Line Feeder bus service Islamabad (**Technically Qualified and Operational**)
- c) CDA 160 Buses Tender (**Technically and Financial**

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	<p>Qualified)</p> <p>d) Quetta Green line bus service (Technically Qualified and Operational)</p> <p>e) Karachi Green line & Orange line (Technically Qualified)</p> <p>f) Transpeshawar (Technically Qualified)</p> <p>In light of the above, we kindly request Reconsideration of the mandatory SECP registration requirement outlined in the EOI/Pre-Qualification documents for this tender. We propose that all types of legal business entities, whosoever meet & fulfil the criteria should be eligible or qualified for the cited tender. This will contribute to an open, fair, transparent, and competitive bidding process, in line with the principles of good governance.</p>	
02.	<p>As per the scope of work, operator shall take full responsibility of any mechanical, electrical, or system failures in buses. However, in case of any manufacturing fault in buses who will be responsible, Bus Operator or Bus Manufacturer.</p>	<p>This is prequalification process. Answer to such queries pertains to scope of work of tenders which will be invited in future among the prequalified firms and may be given at that stage.</p>
NORINCO Pakistan		
01	<p>Does PMA have plans to induct EV buses in future?</p>	<p>Yes</p>

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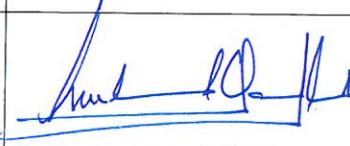
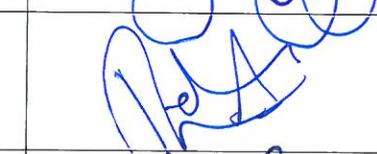
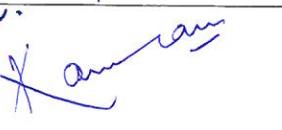
TENDER EVALUATION COMMITTEE (TEC)- 1st Meeting
EXPRESSION OF INTEREST (EOI)/ PRE-QUALIFICATION DOCUMENT (PQD) FOR HIRING OF BUS OPERATORS FOR "PROCUREMENT, OPERATION AND MAINTENANCE OF BUSES FOR PMA SYSTEMS"

ATTENDANCE SHEET

Place: Committee Room, PMA, 5th floor,
Arfa Software Technology Park, LHR

19/12/2023

3:00 pm

Sr. No.	Committee Member/Name & Designation	Signature	Email Address	Contact No.
1	General Manager (Operations), PMA, Chairperson Muhammad Ozair Shah.			
2	Secretary, PMA Farooq Sadiq			
3	Manager Operations (Technical), PMA Rizwan Aziz			
4	Manager (F&A), PMA Rahman Afzal			
5	Deputy Manager Operation, PMA M. Aziz Muntaz			
6	Representative of Transport Department, GoPb - Namkeen Thana. TDM, TPU Transport Department			0332 99 65638
7	Representative of Auto and Diesel Department, TEVTA SHOKAT ALI RANA (CHIEF INSTRUCTOR)		sana.shaukatali15@gmail.com	0300-6663386