

Tender Fee: Rs. 500/-



Tender Document for

Development of Legal Protection Framework for Karez System Cultural Landscape

Opening Date: 17-03-2023

Pakistan Council of Research in Water Resources
Ministry of Water Resources
Government of Pakistan
Khayaban-e-Johar, H-8/1, Islamabad
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PART - I

TERMS AND CONDITIONS

1. GENERAL

The bids are initiated from the individual legal consultant/consulting firms registered and having FBR/Income Tax number for developing the legal protection framework of Karez System Cultural landscape of Balochistan for its inscription on the UNESCO World Heritage List as per following terms and conditions:

- i. The bids are required from the registered firms with earnest money equal to 2% of the total amount of bid(s) in the form of a demand draft/pay order to be issued by a Pakistani scheduled Bank or branch of a Foreign Bank operating in Pakistan in favor of the "Chairman PCRWR". Tenders without earnest money would be rejected out-rightly. In case of alternate prices, earnest money will be based on the maximum quoted price of the work/deliverables. The Earnest Money will be forfeited if a bidder(s) withdraws his bid(s) during the period of his bid(s) validity. The earnest money of unsuccessful bidder(s) will be returned after evaluation of bids.
- ii. The bidder must be registered firm/personnel with SECP and FBR (as per Sale & Income Tax laws) and must include in active tax payer list. Evidence of both should be attached with the tender documents.
- iii. Conditional/incomplete tenders or those having overwriting will not be accepted.
- iv. Quoted price must be valid for at least 90 days from the date of tender opening.
- v. Last date for submission of offers is by March 17, 2023, at 14:00 Hours. The tenders would be opened at 14:30 Hours on the same day in the office PCRWR Head Office, Khyaban e Johar, H-8/1, Islamabad
- vi. The quoted prices must be inclusive of all taxes, services, documentation, responsibilities, cost of travel, modification & improvement in draft etc. The bidder should make sure that the bid is complete in all respects including consumables/non-consumables for the complete execution of the task within a specified duration.

2. SCOPE OF WORK

The scope of work along with the timeline is as;

- i. Submission of Inception report after issuance of the work order, and acquiring the desk review, focused group discussion analysis and relevant

- literature from PCRWR and submission of inception report within 15 days after the issuance of the work order.
- ii. Submission of the First Draft of the legal protection framework based on the findings of the reviewed reports by **30th April 2023**
 - iii. Presentation of the first draft in a consultative meeting of stakeholders.
 - iv. Submission of the second draft after incorporating the suggestions from the federal and provincial stakeholders by **20th June 2023**
 - v. Submission of the final draft and presentation to Karez steering committee by **20th July 2023**

3. BID PRICE AND QUOTING

- i. The bidder is required to quote his bid/charges for the supply of each deliverable.
- ii. The prices shall be quoted in Pakistan Rupees. The person signing the bid shall initial all the pages of the bid(s) where entries are made. No bid received after the prescribed deadline date would be entertained and will be rejected without caring about reasons for delayed receipt in PCRWR Head Office, Islamabad due to the negligence of the bidder or the postal/courier services etc.

4. PCRWR'S RIGHTS

PCRWR reserves the right to reduce/increase the scope of work thereby evolving no financial liability whatsoever or any other obligation on the part of PCRWR from the side of bidders. No other sub-office (outfit) of PCRWR is authorized to collect bid(s), only **PCRWR Head Office located at Khayaban-e-Johar H-8/1, Islamabad** is authorized to do so.

5. CONVERSING

Unsolicited advice/clarification and any personal contact at any stage of the evaluation of bids are strictly prohibited and may lead to disqualification.

6. COMPLETION PERIOD

A timeline against each deliverable is provided in section 2 of this document. A penalty @ 0.01% of the quoted price per day will be charged after the expiry of the deadline fixed for any deliverable. A realistic justification for forced delay can be accepted by PCRWR.

7. MODE OF PAYMENT

- i. No advance payment will be made to any firm against any work order in any case. Payment shall be made in the form of a cross-cheque as per the following:

- a. 60% payment will be made after the submission of the First Draft of the legal protection framework based on the findings of the reviewed reports and the Presentation of the first draft in a consultative meeting of stakeholders.
- b. 40% payment will be made after submission of 2nd draft after incorporating the suggestions from the federal and provincial stakeholders.

8. EVALUATION CRITERIA

The bids would be evaluated based upon their technical soundness with the Terms and Conditions set forth in this document. The lowest quoted bid as a whole meeting technical requirements will be selected. The detailed evaluation criterion is as follows;

- A. Technical soundness 70% weightage, the technical proposal should reflect the following;
 - Previous experience in similar kinds of activities related to environmental laws (30 marks)
 - Methodology for the execution of the assigned task (20 marks)
 - Demonstrates understanding of legal protection framework document (30 marks)
 - Relevant qualification in environmental law and public policy etc. (20 marks)
- B. Financial aspects 30% weightage
 - Lowest bidder (100 marks)
 - Second lowest bidder (90 marks)
 - Third lowest bidder (80 marks)
 - Further lowest bidders will be ranked with 10 less marks in descending order

The procuring agency may cancel the tender as per PPRA rules. PPRA rules and other prevailing government rules shall be applicable.

PART –II

GENERAL INFORMATION ABOUT THE LEGAL/ CONSULTANT FIRM

1- Name of the Firm:

2- Main Line or Business:

3- Type of Organization:

4- Phone No

5- Mailing Address:

6- Fax No.

7- E-mail

8- Contact Person:

9- Income tax and sales tax numbers:

10-Bidding price (inclusive of all taxes)

Rs. In Words_____

Amount in figures_____

SIGNATURE & SEAL OF CONTRACTOR/LEGAL FIRM

PART –III

Proposed ToRs for the Consulting Firm/Expert Karez System Cultural Landscape as World Heritage

Balochistan province of Pakistan lies in the arid climatic region where rainfall is very low and its spatial and temporal variability is very high. Lift irrigation, spring and Karez are the main sources of water for agriculture and domestic uses. The Karez-irrigation system is the peculiar and the oldest gravity irrigation systems which was built centuries ago. It provides safe and free (under gravity) water supply for both irrigation and domestic uses, round the clock and throughout the year. The evaporation losses are minimal and its underground coverage protects against sediments from wind storms. A Karez is a masterwork of hydraulic engineering and cultural unity. It is an underground horizontal tunnel dug below groundwater level to intercept water. These are normally 1-5 km long, though some are as long as 50 km.

The Karez system has faced great challenges over the last few decades such as drying up, abandonment and damage. These are mainly due to: (i) installation of shallow tubewells in the active recharge zones of the Karezes, (ii) indiscriminate installation of deep tubewells and groundwater pumping, (iii) the construction of reservoirs upstream, (iv) deforestation and (v) other human and natural activities. Due to flat rate of electricity and indiscriminate pumping, in some areas, the water table is declining at a rate of more than 5 m/year resulting into drying up of many Karezes.

In rural Balochistan karez are based on community management; based on local practices and indigenous knowledge system. The routine karez management and maintenance procedures kept the rural communities together through strong communal involvement in the past, however the drying of karezes has weekend those bonds which are based on social cooperation. As karezes require a considerable social organization for their maintenance, therefore based on local values and strong social capital.

These Karezes have been the main source of water for drinking and irrigation purposes for the poor community living in the command areas. Tubewells are installed mainly by big farmers. Therefore, with the drying up of the Karezes, the poorest of the poor are the most affected who are unable to install tubewells. The poor communities are in very drastic situation for the last many years. Due to very less recharge there is acute shortage of water. Women of these marginalized groups walk 6 to 8 km daily to fetch water for domestic use. Moreover, their livestock on which the livelihood of the poor communities mainly depends are also affected. There were believed to be more than 3000 Karezes in Balochistan which have now reduced to around 1300. However, exact numbers, their locations, operational status, issues faced by these Karezes are not well known.

The importance to declare Karezes of Balochistan as World Heritage was realized. Accordingly, PCRWR in collaboration with the Government of Balochistan has successfully pleaded the case for “Karezes in Balochistan” for inclusion in the list of sites in Pakistan suitable for inscription on the World Heritage list of UNESCO in December 2015. **If successful, it would be the first site after 1997 in World Heritage, first in the cultural category, and the first site from Balochistan.**

In order to prepare a strong nomination dossier for the nomination of Karez Cultural Landscape, its management plan is crucial. A legal protection framework of the landscape is one of the very critical parts of this nomination dossier and the management plan. In this regard, this Request for Proposals is being for performing the following activities;

Tasks to be carried out by the consulting firm/expert

- Acquire the Desk review, and focused group discussion analysis, institutional framework, minutes, final report, and relevant literature from PCRWR.
- Utilizing the material provided by PCRWR and the gap identified in the desk review articulates the legal protection framework in comprehensive legal terminology.
- Prepare a legal protection framework keeping in view the following;
 - The operational guidelines for the implementation of the World Heritage Convention of the World Heritage Centre of UNESCO.
 - Existing laws/regulations, norms and cannons prevailing in Balochistan and Pakistan
 - Long-term protection of Karezes keeping in view their heritage status.
- Participate in the consultation workshop with relevant stakeholders of the Government of Balochistan before finalization of the draft.
- The timeline for the submission of the final draft framework will be 4 months from the issuance of the work order.
- Be available to amend the draft after 4 months of assignment time during the legal approval process.

Key Deliverables

- A document containing legal protection framework for Karez Cultural Landscape
- Consultants will participate in the stakeholder consultation in Quetta, PCRWR will provide the logistics for one person.

Tentative Budget

Cost for the said activity is no more than **0.6 Million** (Rupees Six Hundred Thousand only).