ADDENDUM TO

REQUEST FOR PROPOSALS (RFP) for

Advertising Services Management in Peshawar BRT Corridor

Tender No. TPC/BD/RFP/2021/003

Date: March 1, 2021

Schedule 4

Financial Offer

To be submitted by the Bidder on official letter head

- _____ (<u>name),</u> Pakistani, of legal age, with office address at Ι, (address), as the Authorized Representative of _____ (*name_of_Bidder*), hereby declare for and on behalf of (*name of <u>Bidder</u>*) that:
 - (name of Bidder) has examined the information provided in 1. the Request for Proposals (including annexures) and the Service Agreement;
 - 2. (name of Bidder) has examined the properties (Advertising Spaces) and made all due diligence in estimation of revenue as well as costs envisioned under the Agreement;
 - _____ (name of Bidder) hereby submits its Financial Offer, for 3. undertaking the Service Agreement, which shall remain valid and binding upon (name of Bidder) for a period of one hundred eighty (180) days from the Proposal Opening Date; and
 - 4. Total rent offered for three (03) years by ______ is of an amount of (<u>amount in words & integer</u>) Pakistani Rupees. _____ (name of Bidder)

Year	Quarter	Rent for Street light poles for display of (6x4ft) Aluminium/Steel framed Streamers fixed at 10-15 ft. height from ground level (As per specification in Appendix A) (QTY 250)	Rent for Double sided (Two-way traffic) Pillar advertisement for display of (10x5ft) Aluminium/Steel frames fixed at 10ft from ground level (As per specification in Appendix A) (QTY 100)	Rent for Digital Pole Streamer P-6 Outdoor SMD for display (6x3ft) fixed at 10-15 ft. height from ground level (As per specification in Appendix A) (QTY 60)	Rent for Double Sided (Two-way traffic) Pedestrian Bridge Banner for display of (50x3ft) Aluminium/Steel framed banner fixed towards two-way traffic (As per specification in Appendix A) (QTY 10)
	1				
1	2				
	3				
	4				
2	1				
	2				
2	3				
	4				
3	1				
	2				
	3				
	4				
Sub-Total					
		I	I	III	IV
			Gra	nd Total (I+II+III+IV)	

For and on behalf of (name of Bidder)

(signature of Authorized Representative)

(name, title and date)

APPENDIX A

ADVERTISING SPACES



ADVERTISING ITEM SPECIFICATION

ITEM # 1:	<u>ITEM # 2:</u>	
 STREET LIGHT POLE STREAMER: (Light poles assigned after Tehkal Payan station till the start of Tehkal Bala station and in continuation from University Town Junction to Karkhano Market (excluding elevated portion) (Dimension: 6 X 4 ft (72 (H) X 36 (W) Inches) Outer frame: 2 inches Corrosion Protection Aluminium/Steel frame with thickness between 18 to 20 gauge. Shape: Rectangle Type: Non-Lighting Installation: Fixed Top and bottom clamps. 	 PEDESTRIAN BRIDGE BANNER: (Pedestrian bridges assigned from Tehkal Bala to Hospital chowk Station (excluding Mall of Hayatabad station i.e., elevated)) Dimension: 50 X 3 ft (600 (W) X 96 (H) Inches) Corrosion Protection Aluminium/Steel frame with thickness between 18 to 20 gauge. Angle iron for support between the Banner frame and bridge railing shall be 1.5 to 2 inches. Front panel sheet for flex installation shall be at least thickness of 28 gauge. Shape: Rectangle Type: Non- Lighting Installation: to be fixed at all corners with the bridge railing for firm support. 	



ANNEX B ADVERTISING LOCATIONS





ANNEX C RENT DEPOSIT AND RENT DEPOSIT ACCOUNT

Year	Quarter	Rent for Street light poles for display of (6x4ft) Aluminium/Steel framed Streamers fixed at 10-15 ft. height from ground level (As per specification in Annex E) (QTY 250)	Rent for Double sided (Two-way traffic) Pillar advertisement for display of (10x5ft) Aluminium/Steel frames fixed at 10ft from ground level (As per specification in Annex E) (QTY 100)	Rent for Digital Pole Streamer P-6 Outdoor SMD for display (6x3ft) fixed at 10-15 ft. height from ground level (As per specification in Annex E) (QTY 60)	Rent for Double Sided (Two-way traffic) Pedestrian Bridge Banner for display of (50x3ft) Aluminium/Steel framed banner fixed towards two-way traffic (As per specification in Annex E) (QTY 10)
1	1				
	2				
	4				
	4				
2	2				
	3				
	4				
3	1				
	2				
	3				
	4				
Sul	o-Total	I	II		IV
			Grand T	Total (I+II+III+IV)	

Rent Deposit Account details are as follows:

CEO TRANSPESHAWAR

Bank Name: The Bank of Khyber

Account Number: 0001 0000 1182 4005



ANNEX E

ADVERTISING ITEM SPECIFICATION

STREET LIGHT POLE STREAMER: (Light poles PEDES	TRIAN BRIDGE BANNER: (Pedestrian
assigned after Tehkal Payan station till the start of Tehkal Bala station and in continuation frombridges chowk	 assigned from Tehkal Bala to Hospital Station (excluding Mall of Hayatabad i.e., elevated)) Dimension: 50 X 3 ft (600 (W) X 96 (H) Inches) Corrosion Protection Aluminium/Steel frame with thickness between 18 to 20 gauge. Angle iron for support between the Banner frame and bridge railing shall be 1.5 to 2 inches. Front panel sheet for flex installation shall be at least thickness of 28 gauge. Shape: Rectangle Type: Non- Lighting Installation: to be fixed at all corners with the bridge railing for firm support.



(s) shall be responsible for removing of illegal streamers, posters or other material in area handed over for advertisements and shall take necessary measures to stop or remove unauthorized banners, streamers or such deemed to be inappropriate by TPC;

(t) shall remove any obstruction within 15 minutes which hinders safe bus operation and such prescribed time for unauthorized or inappropriate banners, steamers. If not removed with such prescribed time, TPC will remove at cost and risk of Service Provider.

(u) to ensure display of content at all times. In case the Service Provider does not have any replacement advertisement/content, it may be substituted by displaying public service content after approval from TPC;

(v) agrees to allow free of cost 10% airtime (calculated on monthly basis) to display advertisement content regarding awareness of bus operation or government awareness campaigning videos;

- (w) to allow Government based social welfare campaigns or awareness drives free of cost;
- 4.2 Service Provider shall maintain the following standards at each Advertising Location:
 - a) All advertisement locations shall be installed with uniform dimensions and sequence as approved by TPC mentioned in Annex E;
 - b) Service Provider shall not encroach corridor for installation, maintenance and replenishment of advertising material without prior approval from TPC;
 - c) Depute employee permanently during operation hours for removal of any obstructions along the corridor within 15 minutes response period which effects bus operations. Such instructions may be issued via SMS, email or message etc;
 - d) Service Provider shall not interrupt or take such any actions without TPC approval such as power connections, installation in corridor etc;
 - e) Service Provider shall make sure to restore or maintain TPC property immediately to original position, if disturbed by Service Provider;
 - f) to keep the advertising locations clean, tidy and clear of rubbish;
 - g) Shall not allow any advertising content which are prohibited under the Law or local culture and ethical standards or controversial content;
 - h) Service Provider shall not do such act or actions which harm passengers of TPC and bus operation;
 - i) Service Provider in no way shall deal or discuss or interrupt with other contractors of respective BRT operation.

J) The Service Provider shall ensure compliance of Supreme Court of Pakistan's orders (Annex-F) and other laws, rules and regulations governing the outdoor advertising business, issued from time to time

Notwithstanding anything contained in any other provisions of the Service Agreement or its Annexes; employees, staff members, agents, assignees, labor, worker etc. whether formal or informal being applied for a task or work to do by the Service provider in the performance of its functions. The Service Provider would be responsible and liable for the cost and compensation against any harm, damage, and interference done to BRT Transit System by the aforementioned individuals or persons.

IN THE SUPREME COURT OF PAKISTAN (Appellate Jurisdiction)

Present: Mr. Justice Mian Saqib Nisar Mr. Justice Amir Hani Muslim Mr. Justice Khilji Arif Hussain

CMA No.209-K of 2014 in C.P. No.152-K of 2011 and CMAs No.657 to 660-K of 2015 and CMA No.869-K of 2015 in CMA No.209-K of 2014.

(Report of Karachi Cantonment Board regarding Hoardings and signboards installed with permission and without *permission*)

In attendance:

Mr. Salman Talibuddin, Additional Attorney General, Pakistan Mr. Nisar Ahmed Durrani, Advocate General, Sindh Mr. Adnan Karim, Additional Advocate General, Sindh Mr. Mukesh Kumar Karara, Additional Advocate General, Sindh Mr. Yasin Azad, ASC for Karachi Cantonment Board (CMA No.869-K of 2015) Syed Jamil Ahmed, ASC and Mr. Khaleeq Ahmed, ASC for KMC Mr. Nazar Hussain Dhoon, ASC for Defence Housing Authority Mr. Sanaullah Noor Ghouri, ASC for Civil Aviation Authority Mr. Sohail H.K. Rana, ASC for CEO, Karachi Cantonment Rana Manzoor, CEO, Karachi Cantonment Mr. Arfin Zubair Chaudhry, Additional CEO, Clifton, Karachi Mr. Rabnawaz, CEO, Korangi, Karachi Mr. Asif Ameer Khan, CEO Ms. Ayesha Abro, Administrator, DMC Lieutenant Colonel Khadim Hussain Changezi from Station Head Quarter, 5 Core Lieutenant Imranul Haq, Senior Staff Officer, Legal to Commander Karachi Lieutenant Shafiq-ur-Rehman, Assistant Director Legal Services, Naval Mr. Muhammad Aslam Chaudhry, Legal Advisor, Karachi Cantonment

Syed Zahid Hussain, Officer Incharge, Control Room

Amicus curiae: Mr. Abdul Rehman, Advocate

Date of Hearing: 05.5.2016

<u>ORDER</u>

Amir Hani Muslim, J. In compliance with the Orders of this Court passed on 10.3.2016, the learned Additional Attorney General for Pakistan has placed before us an interim report reflecting that the meetings held in the Office of the Commissioner Karachi with the object to achieve city-wide uniformity for installation of Billboards and Hoardings. The interim report further reflects that all the stakeholders, who attended the meetings, proposed the amendments in the respective by-laws. The proposed amendments on the subject, annexed with the interim report, read as follows:-

• *"There are following types of advertisement:*

1. Bill Boards/Hoardings :	45' x 15' (Max. Height 30 feet) 10' x 20' (Max. Height 20 feet) 60' x 20' (Max. Height 60 feet) The total height of hoarding including board should not exceed 80 feet from ground.	
2. Pylons / Canopi :	6' x 12'	
3. Bridge Panel :	Length as per Bridge & Height not exceeding 10 feet.	
4. Panel / Wall Panel :	Length as per Area & Width 20 feet	
5. LED Screens :	Maximum 1200 sq. feet. No other Board within 500 feet.	

- The Bill Boards / Hoardings on Roof Top and Over Handing on Footpath, Roads and Triangles are not allowed.
- Distance of 400 feet between the two bill boards must be maintained.
- *High marks are not allowed.*

- 2 -

- 3 -

- Apart from Pole Sign, no other type of hoarding should be allowed on Central Median / Triangle / Square and Roundabouts.
- Responsible organizations to ensure aesthetic beauty of the city & public safety.
- On boundaries of lands, 100 feet be left by each organization on either side.
- For pedestrian bridge minimum 3 feet space from walking track be left open for ventilation / security of pedestrian.
- *Maximum allowed angle is upto 45 Degrees to the road.*
- Every Contractor shall provide structural plane, stability certificate duly vetted by another Engineer registered with PEC.
- Third party insurance shall be carried out by Contractor for each board".

2. We have inquired from the learned Advocate General Sindh, present in Court, the view point of the Sindh Government on the issue of installation of Billboards and Hoardings on public properties. He has made a statement on behalf of the Sindh Government that no Billboards or Hoardings of any nature can be allowed to be installed on public properties. The learned Additional Attorney General was also of the view that Billboards and Hoardings cannot be installed on the public properties.

3. The term 'public property' has wide meaning and, therefore, we would like to clarify it in the order to avoid any ambiguity. The term 'public property' shall include the following places:

- "(i) Roads.
- (ii) Sidewalks.
- (iii) Islands in the centre of a road/service lane including but not limited to 'Sponsored Islands' whereby the entire Island is maintained by a private person who displays his name and products on the traffic signs.
- (iv) Overhead Bridges and Underpasses.
- (v) Overhead pedestrian walkways/bridges.

- (vi) Roundabouts including but not limited to 'Sponsored Roundabouts' whereby the entire Roundabout is maintained by a private person/or any organization who displays his or their name and products on the traffic signs.
- (vii) Green Belts/Dividers between a road.
- (viii) Pedestrian lanes.
- *(ix)* Nullahs (Storm Water Drains) and the banks of Nullahs (Storm Water Drains) which abut roads.

Notes:

- (i) Traffic signs i.e. signs set up by the Traffic Department providing directions are permissible on these locations but should not be '<u>Sponsored</u> <u>Traffic Signs</u>' i.e. Traffic Signs that are sponsored by private persons and display their name and products on the traffic signs.
- (ii) Signboards located within a plot not listed above but which <u>in any manner</u> "overhang" any of the areas listed above".

4. We have heard Mr. Abdul Rehman Advocate as *amicus*, the learned Additional Attorney General for Pakistan, Advocate General Sindh and Administrators of District Town Committees. There is no law which permits K.M.C., D.M.C., Cantonment Boards or any other agency in Karachi to install Billboards or Hoardings on a public property. Such an act on the part of permission granting agency is against the civil rights of the citizens. The civil rights of the citizens cannot be hampered with by erecting the Billboards or Hoardings on the civic amenity meant for the use and benefit of public at large besides such an act would endanger the life and property of the common man.

5. As a first step, we are of the considered view that no Billboard or Hoarding can be permitted to be installed on any public property as defined in the preceding paragraph by any authority under the garb of bylaws which militate the civil rights of the public at large. Therefore, all the concerned authorities are directed to immediately remove all the Billboards/Hoardings installed without permission within their jurisdiction within 15 days from today and report compliance.

6. The Billboards/Hoardings which have been installed in the public properties under any license or lease shall be uprooted by 30th June, 2016 by the concerned advertising agencies which own that poles or displaying materials or by the contractors if they own such material or by the authorities with whose permission the Billboards or Hoardings have been installed. In the intervening period, no permission shall be granted by any of the authority in Karachi to install the Billboard/Hoarding on any portion of public place/property as clarified hereinabove.

7. The learned Additional Attorney General is further directed to hold meetings, within a month, with all the stakeholders who grant permission for installation of such Billboards/Hoardings in Karachi to finalize the amendments in the proposed by-laws applicable beyond the public properties so that city-wide uniformity could be achieved on the one hand and safety measures of the citizens of Karachi shall be ensured on the other hand. The proposed meetings shall be attended by the Advocate General Sindh, as well. The learned Additional Attorney General shall submit report within one month.

8. Copy of this Order be faxed and sent to the Registrar, Sindh High Court for placing it before the learned Chief Justice and all the learned Judges for their information. Office shall also send copies to the learned *Amicus Curiae*, the learned Additional Attorney General and the learned Advocate General Sindh. 9. Office is directed to re-list this matter after 30th June, 2016. All the authorities concerned shall submit their compliance reports in the light of above referred directions.

Judge

Judge

Judge

<u>Karachi, the</u> 5th May, 2016

IN THE SUPREME COURT OF PAKISTAN (ORIGINAL JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ MR. JUSTICE FAISAL ARAB MR. JUSTICE IJAZ UL AHSAN

SUO MOTU CASE NO.27 OF 2018 AND CIVIL MISC. APPLICATION NO.9577, 9606, 9457, 10063 AND 10036 OF 2018 AND CIVIL REVIEW PETITIONS NO.711, 712 AND 723 OF 2018 AND CIVIL MISC. APPLICATION NO.10291 OF 2018 IN C.R.P.NO.NIL OF 2018

- S.M.C.27/2018: Suo motu action regarding removal of billboards in Lahore
- C.M.A.9577/2018: Topaz Outdoor etc. Vs. Government of Pakistan through Ministry of Law and Justice etc.
- C.M.A.9606/2018: M/s Top Sign Services etc. Vs. Government of Pakistan through Ministry of Law and Justice etc.
- C.M.A.9457/2018: Impleadment application
- C.M.A.10063/2018: Application by Amin Afzal Malik etc.
- C.M.A.10036/2018: Muhammad Rehman etc.
- C.R.P.711/2018: DHA Lahore through its Secretary Vs. Government of Pakistan through Ministry of Law & Justice etc.
- C.R.P.712/2018: Imran Gulzar and another
- C.R.P.723/2018: National High Authority though its Chairman
- C.M.A.10291/2018: Muhammad Iqbal Butt etc. Vs. The Government of Pakistan and another

In attendance:

Syed Nayab Hassan Gardezi, DAG Mr. Qasim Ali Chohan, Addl. A.G. Punjab Mr. Zahid Yousaf Qureshi, Addl.A.G. KPK Mr. Sibtain Mahmood, A.A.G. Sindh Mr. Ayaz Swati, Addl.A.G. Balochistan

Mr. Umar Riaz, ASC (In C.M.As.10306 & 10283/2018)

Mr. Amanullah Kanrani, ASC Mr. Mehr Khan Malik, AOR (In C.M.As.10063, 9470 & 9457/2018)

Mr. Azeem-ul-Haq Pirzada, ASC Syed Rifaqat Hussain Shah, AOR (In C.M.A.9606 in C.R.P.Nil/2018)

Barrister Haris Azmat, ASC (In C.M.As.9577 & 10695/2018)

Nemo (In C.M.A.10036/2018 in C.R.P.Nil/2018) Mr. Shazib Masood, ASC (In C.R.P.711/2018)

Mr. Zaheer Ahmed Qadri, ASC (In C.R.P.723/2018)

Mr. Agha Muhammad Ali, ASC (In C.M.A.10291/2018 in C.R.P.Nil/2018)

Mr. Muhammad Waqar Rana, ASC (In C.M.A.10300/2018)

Sardar M. Latif Khan Khosa, Sr. ASC Sardar Balakh Sher Khan Khosa, ASC/Legal Advisor Cantonment Board, Lahore & Walton Rana Khalid Ahmed, Director Military Lands, Lahore Region

Mr. Omer Farooq Ali, CEO, Lahore Walton Cantt. (In C.R.P.712/2018)

Syed Ali Zafar, ASC (In C.M.A.8857/2018)

Mr. Waqar A. Sheikh, ASC (For PHA)

Sardar M. Aslam, ASC (For Railways)

Date of hearing:

14.12.2018

ORDER

MIAN SAQIB NISAR, CJ.- After hearing the learned counsel for the petitioners, we are of the view that no case for review has been made out. All the review petitions as also the connected applications are dismissed accordingly.

2. With regard to the request made by the learned counsel that some reasonable time be granted to the concerned authorities to remove the billboards, we are inclined to grant further three months' time from today. All the concerned authorities are directed to submit compliance report after expiry of the stipulated period without fail. It is made clear that no further extension of time shall be granted under any circumstances or for any reason whatsoever. S.M.C.No.27/2018 stands disposed of.

IN THE SUPREME COURT OF PAKISTAN (ORIGINAL JURISDICTION)

PRESENT:

MR. JUSTICE MIAN SAQIB NISAR, HCJ MR. JUSTICE FAISAL ARAB MR. JUSTICE IJAZ UL AHSAN

SUO MOTO CASE NO. 27 OF 2018 (Action regarding removal of billboards in Lahore)

In Attendance:

Syed Nayyar Abbas Rizvi, Addl. AGP Mr. Qasim Ali Chohan, Addl. A.G. Punjab Mian Zafar Iqbal Kalanauri, ASC Mr. Waqas A. Sheikh, ASC Sardar Muhammad Latif Khan Khosa, Sr. ASC Sardar Balakh Sher Khan Khosa, Legal Advisor Rana Khalil Ahmed, Director Cantonment Board Sardar Muhammad Aslam, ASC (For Railways)

Mr. Zaheer Ahmed Qadri, ASC Syed Rifaqat Hussain Shah, AOR (For NHA)

Mr. Shazib Masood, ASC (For DHA)

Syed Ali Zafar, ASC Mr. Tariq Aziz, AOR (In CMA 8851/2018)

Date of Hearing: 17.10.2018

JUDGMENT

FAISAL ARAB, J.- In view of the suo moto action taken in the city of Lahore with the object of removing unwanted billboards and hoardings, we through this order hold that a similar action taken for the city of Karachi should be replicated throughout Pakistan so that uniformity is achieved. The proposed action on the subject, has been set out in the judgment dated 05.5.2016 in <u>CMA No.209-K of</u> 2014 in C.P. No.152-K of 2011 artic CMAs: No.657 to 660-K of 2015 and CMA No.869-K of 2015 in CMA No.209- K of 2014 which requires that billboards or hoardings of any nature (including all electronic billboards/hoardings) cannot be allowed to be installed on any public property. The term 'public property' has been clarified in our judgment dated 05.05.2016 passed in the Karachi case which states:

"The term 'public property' has wide meaning and, therefore, we would like to clarify it in the order to avoid any ambiguity. The term 'public property' shall include the following places:

"(i) Roads.

(ii) Sidewalks.

(iii) Islands in the centre of a road/service lane – including but not limited to 'Sponsored Islands' whereby the entire Island is maintained by a private person who displays his name and products on the traffic signs.

(iv) Over-head Bridges and Under-passes.

(v) Overhead pedestrian walkways/bridges.

(vi) Round-abouts – including but not limited to "Sponsored Roundabouts' whereby the entire Roundabout is maintained by a private person/or any organization who displays his or their name and products on the traffic signs. (vii) Green Belts/Dividers between a road.

(viii) Pedestrian lanes.

(ix) Nullahs (Storm Water Drains) and the banks of Nullahs (Storm Water Drains) which abut roads.

Notes:

(i) Traffic sings i.e. sings set up by the Traffic Department providing directions are permissible on these locations but should not be 'Sponsored Traffic Signs' i.e. Traffic Signs that are sponsored by private persons and display their name and products on the traffic signs.

(ii) Signboards located within a plot not listed above but which in any manner 'overhand' any of the areas listed above."

The main object of institutions that perform municipal 4. functions is for the benefit of the public at large. Allowing erections of hoardings/billboards would endanger the life and property of the public, therefore installation of any billbcard or hoardings by Cantonment Boards or any other agency or a public property as defined above shall be deemed to be illegal. The learned Counsel for Lahore Cantonment Board argued that income generated from these billboards have contributed towards other welfare projects in the area hence if the said demolition takes place it would deprive the Board from carrying out their welfare projects. It may well be the case; however the Boards should not be utterly dependent on revenue generated from these advertisements as they can surely fund their welfare activities through other means. Insofar as advertisers are concerned, there are many other ways by which businesses can market themselves i.e. through print and electronic media which is one of the most popular means to advertise in today's day and age however if billboards/hoardings are to be used for the purpose of advertisement then the businesses should advertise on private buildings.

5. Therefore we are of the considered view that billboards and hoardings cannot be permitted to be installed on any public property. All concerned authorities across Pakistan are directed to immediately remove all the billboards/hoardings installed within their jurisdiction within a period of one and a half months from today and file a compliance report. The billboards/hoardings which have been installed in public properties under any license or lease shall be uprooted within the same 45 day period by the concerned advertising agencies which own those billboards/hoardings either directly or through their contractors by the authorities with whose permission the billboards or hoardings have been installed. In the intervening period, no permission shall be granted by any authority in Pakistan to install the billboard/hoarding on any portion of public property. Any institutions or agencies that are found to be non-compliant with this order will be prosecuted.

7. The learned Additional Attorney General is further directed to hold meetings, within a month, with all the stakeholders who grant permission for installation of such billboards/hoardings anywhere in Pakistan to finalize the amendments in the proposed bylaws applicable beyond the public properties so that nation-wide uniformity could be achieved to ensure safety measures of the citizens of Pakistan.

9. All the authorities concerned shall submit their compliance reports in the light of above referred directions. Re-list.

<u>Islamabad, the</u> 17th of October, 2018 <u>Not Approved For Rep</u>orting