



**GOVERNMENT OF THE PUNJAB
SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT**

Dated Lahore, the 20th August, 2013

NOTIFICATION

No.ADMN(PPRA)10-2/2013. In exercise of the powers conferred under section 26 of the Punjab Procurement Regulatory Authority Act 2009 (VIII of 2009), Governor of the Punjab is pleased to direct that in the Punjab Procurement Rules, 2009, the following amendments shall be made:

AMENDMENTS

In the said Rules:

1. In rule 2, in sub-rule (1), after clause (g), the following clause (gg) shall be inserted:
"(gg) "framework contract" means a contract whereby the procurement is made for a certain volume or quantity of a particular good, a set of goods or services and works over a specific period against a consideration i.e an agreed sum or rate (per item or lump sum)."
2. In rule 15, for sub-rule (1), the following shall be substituted:
"(1) Subject to sub-rule (1b), a procuring agency may, prior to floating the tenders, or invitation to proposals or offers in procurement proceeding, engage in prequalification of bidders in case of services, civil works, turnkey projects and in case of procurement of expensive and technically complex equipment to ensure that only technically and financially capable firms or persons having adequate expertise and capacity are invited to submit bids.
(1a) The procuring agency shall ensure that prequalification is based on the capacity of the interested parties to perform satisfactorily the services or work.
(1b) A procuring agency shall prequalify bidders in case of procurement of goods of one hundred million rupees or more in accordance with the provisions of sub-rules (1) and (1a)."
3. After rule 15, the following rule 15A shall be inserted:
"15A. Framework contract.-(1) A procuring agency may procure goods through framework contract in order to ensure the uniformity in the procurement of goods.

(2) The procuring agency shall adopt any of the methods of procurement mentioned in these rules for entering into a framework contract."

4. For rule 40, the following shall be substituted:

"40. Limitation on negotiation.-(1) Save as otherwise provided in these rules, a procuring agency shall not negotiate with any of the bidders.

(2) In case of goods of highly technical nature, the procuring agency shall ensure that the bidders submit the revised financial bids immediately after opening of the financial bids in the same manner as the earlier financial bids were submitted and the procuring agency shall not allow extra time for submission of revised financial bids by the bidders.

(3) In this rule, the expression 'goods of highly technical nature' means all goods including machinery, its parts and micro-components, industrial, scientific or electronic equipment, plant and tools which are sophisticated in nature costing more than fifty million rupees and procured by adopting the two stages-two envelope procurement procedures in accordance of rule 36."

5. In rule 42, in clause (a):

(a) in the second proviso, for the words "Government of the Punjab", the word "Board" shall be substituted; and the full stop at the end shall be substituted by the colon; and

(b) after the second proviso, the following shall be inserted:

"Provided further that the Board may fix an appropriate limit for procurement through the method of three quotations, subject to a maximum of five hundred thousand rupees, as the maximum financial limit for procurement on the basis of three quotations."

6. After rule 42, the following rule 42A shall be inserted:

"42A. Exemption.-(1) The Government or the Board shall not exempt application of these rules for procurement of services.

(2) The Board may exempt application of these rules for procurement of goods from a public sector manufacturing unit through the method of three quotations involving procurement of one hundred thousand rupees or more.

(3) For all procurements beyond the prescribed or enhanced limit, the procuring agency shall give the first right of refusal to a public sector manufacturing unit participating in the bidding process or competition."

7. For rule 50, the following shall be substituted:

"50. Mis-procurement.-(1) A procurement shall be treated as mis-procurement if the procuring agency fails to observe the process of procurement envisaged in these rules or contravenes any provision of these rules.

(2) The Authority shall specify minor and major mis-procurement.

(3) The Government shall, by notification, constitute a committee in order to deal with and decide any allegation of major mis-procurement by a procuring agency.

(4) The officer immediately superior to the head of the procuring agency shall constitute a committee in order to deal with and decide any allegation of minor mis-procurement by the procuring agency.”

**CHIEF SECRETARY
GOVERNMENT OF THE PUNJAB**

Copy for information and further necessary action:-

1. Chief Secretary, Government of the Punjab;
2. Additional Chief Secretary, Government of the Punjab;
3. Senior Member, Board of Revenue, Government of the Punjab;
4. Chairman, Planning & Development Board, Punjab;
5. Principal Secretary to Governor, Punjab;
6. Principal Secretary to Chief Minister, Punjab;
7. Registrar, Lahore High Court Lahore;
8. All Administrative Secretaries, Government of the Punjab;
9. Inspector General of Police, Punjab;
10. Accountant General, Punjab;
11. Director General, Civil Audit, Punjab;
12. Director General, Works Audit, Punjab;
13. All Divisional Commissioners, Government of the Punjab;
14. All District Coordination Officers, Government of the Punjab;
15. Superintendent, Government Printing Press (for publishing amendments in annual Gazette).

Managing Director (PPRA)