PUBLIC PROCUREMENT REGULATIONS, 2008

S.R.O. 462(I)/2024.- In exercise of the powers conferred by section 27 of the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002), the Public Procurement Regulatory Authority is pleased to make amendment in the following regulations, namely:-

1. Short title and commandment.- (1) These Regulations may be called the Public Procurement Regulations, 2008 (amended on 13th March, 2024).

(2) These Regulations extended to the whole of Pakistan.

(3) They shall come into force at once.

2. Definitions.- (1) In these Regulations, unless there is anything repugnant in the subject or context:

(a) **Ordinance:** means the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 202); and

(b) **Rules:** means the Public Procurement Rules, 2004.

(2) The expression used but not defined herein shall have the same meaning as are assigned to them in Ordinance and rules.

3. Bidding documents.- The words "Pakistan Engineering council constituted under Pakistan Engineering council Act, 1975 (V of 1976)" are substituted with the words "the Authority".

4. Record to be kept.- A Procuring Agency shall keep the following record of the procurement proceedings for at least five years from the date of completion of procurement of contract or rejection of all bids under rule 33 of the rules, namely:-

(a) a brief description of the goods or works to be procured or of the procurement need for which the procuring agency requested proposal or offers;

(b) the names and addressed of suppliers or contractors that submitted bids, proposals, offers or quotations and name and address of supplier or contractor with whom the procurement contract is entered into and the contract price;

(c) the names and addresses of suppliers or contractor who were pre-qualified or selected and invited to submit bids or technical proposals;

(d) information related to the qualifications or disqualifications of suppliers or contractors who have submitted bids, proposals, offers or quotations;

(e) the price or the basis for determining the price and a summary of the other terms and conditions of each bid, proposal, offer or quotation and procurement contract stipulated by the procuring agency;

(f) evaluation report prepared under rule 35 of the rules, alongwith any reservations and preference under rule 24 ibid;

(g) in case of rejection of bids pursuant to rule 33 of the rules its complete record;

(h) in case of any other method of procurement except open competitive bidding which does not culminate in procurement contract, a statement to that effect and the reasons thereof; and

(i) a summary of any requests for clarification of the pre-qualification or solicitation documents, the response thereto, as well as a summary of any modification to those documents.

5. Obtaining the record.- (1) After acceptance of the bid or, as the case may be, termination of the procurement proceedings without resulting in a contract, any person may, on request, obtain the records referred to in clauses (a) and (c) of regulation 4.

(2) After acceptance of the bids or, as the case may be, termination of the procurement proceedings without resulting in a contract any person who submitted bids proposals, offers or quotations or applied for pre-qualification may obtain, on request, the records referred to in clauses (b), (d), (e), (f) and (g) or regulation 4.

(3) The record referred to in regulation 4 may also be made available within a reasonable time to the Auditor General of Pakistan or any authorized officer of the Authority or the Federal government.

6. No liability to suppliers etc.- A procuring agency shall not be liable to suppliers or contractors for damages owing solely to a failure of keeping record of the procurement proceedings in accordance with these regulations.

[No.03(10)/M&E/PPRA/2024.]

Sd/-
DR. ASIM J. ABRO
Director (M&E)

S.R.O.805(I)/2008.- In exercise of the powers conferred by section 27 of the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002), the Authority is pleased to make the following regulations, namely:-

1. Short title and commencement.-(1) These regulations may be called the Public Procurement Regulations, 2008.
(2) They shall come into force at once.

2. Definitions.- (1) In these regulations, unless there is anything repugnant in the subject of context,-

(a) "Ordinance" means the Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002); and
(b) "rules" means the Public Procurement Rules, 2004.
(2) The expression used but not defined herein shall have the same meaning as are assigned to them in Ordinance and rules.

3. Bidding documents.- A procuring agency when engaged in procurement of works, shall use the standard form of bidding documents prescribed by the Pakistan Engineering Council constituted under the Pakistan Engineering Council Act,1975 (V of 1976).

4. Record to be kept.- A procuring agency shall keep the following record of the procurement proceedings for at least five years from the date of completion of procurement of contract or rejection of all bids under rule 33 of the rules, namely:-

(a) a brief description of the goods or works to be procured or of the procurement need for which the procuring agency requested proposal or offers;

(b) the names and addresses of suppliers or contractors that submitted bids, proposals, offers or quotations and name and address of supplier or contractor with whom the procurement contract is entered into and the contract price;

(c) the names and addresses of suppliers or contractors who were pre-qualified or selected and invited to submit bids or technical proposals;

(d) information related to the qualifications or disqualifications of suppliers or contractors who have submitted bids, proposals, offers or quotations;

(e) the price or the basis for determining the price and a summary of the other terms and conditions of each bid, proposal, offer or quotation and procurement contract stipulated by the procuring agency;

(f) evaluation report prepared under rule 35 of the rules, alongwith any reservation and preference under rule 24 ibid;

(g) in case of rejection of bids pursuant to rule 33 of the rules, its complete record;

(h) in case of any other method of procurement except open competitive bidding which does not culminate in procurement contract, a statement to that effect and the reasons thereof; and

(i) a summary of any requests for clarification of the pre-qualification or solicitation documents, the response thereto, as well as a summary of any modification to those documents.

5. Obtaining the record.- (1) After acceptance of the bids or, as the case may be, termination of the procurement proceedings without resulting in a contract, any person may, on request, obtain the records referred to in clauses (a) and (c) of Regulation 4.

(2) After acceptance of the bids or, as the case may be, termination of the procurement proceedings without resulting in a contract any person who submitted bids proposals, offers or quotations or applied for pre-qualification may obtain, on request, the records referred to in clauses (b), (d), (e), (f) and (g) of Regulation 4.

(3) The record referred to in Regulation 4 may also be made available within a reasonable time to the Auditor General of Pakistan or any authorized officer of the Authority or the Federal Government.

6. No liability to suppliers etc.-A procuring agency shall not be liable to suppliers or contractors for damages owing solely to a failure of keeping record of the procurement proceedings in accordance with these regulations.

[F.No.2/1/2008/PPRA-RA.III]

Sd/-
MUHAMMAD FAROOQ
Section Officer (RA-III)