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PPRA Rules 2026

Lafz-ba-lafz Roman Urdu Tarjuma — Mukammal

Aham Note: Ye Public Procurement Rules, 2026 ka mukammal lafz-ba-lafz tarjuma hai — har rule, har clause, har sub-clause aur har proviso ka tarjuma kiya gaya hai, kuch nahi chhoda gaya. Ye official English Gazette text ka tarjuma hai. Kisi bhi qanooni faisle ke liye official English Gazette text hi mana jayega.

Source: Public Procurement Rules, 2026 — S.R.O. 1658(I)/2026, 28 September 2026. Rules 1–69 + Rule 52A, Schedule I.

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THE GAZETTE OF PAKISTAN, EXTRA., SEPT. 28, 2026 — PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN

CABINET SECRETARIAT

(Cabinet Division)

NOTIFICATION

Islamabad, the 28th September, 2026

S. R. O. 1658(I)/2026. — Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002) ki section 26 ke tehat diye gaye ikhtiyarat ko istemal karte hue, Federal Government (Wafaqi Hukumat) khushi se darj zail rules banati hai, yani:—

Is Gazette ki qeemat Rs. 60.00 hai.

Rule 1 — Short title and commencement

Mukhtasar Unwan aur Nafaz

(1) In rules ko Public Procurement Rules, 2026 kaha jayega.

(2) Ye rules foran naafiz honge.

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Rule 2 — Definitions

Tareefain

(1) In rules mein, jab tak kisi mauzu ya siyaq-o-sabaq mein koi baat is ke khilaf na ho,—

(i) "bid" se murad ek tender, ek offer ya ek darkhwast hai, jo kisi bidder ki taraf se kisi procurement notice ke jawab mein di jaye, jis mein woh apni razamandi zahir karta hai ke woh muqarrar qeemat ya sharaait par bid mein bataye gaye kaam ko anjam dega;

(ii) "bidder" se murad koi qanooni ya tabee shakhs, firm, company ya koi tanzeem, agent, consortium, joint venture partner hai, jo bid jama karata hai;

(iii) "bidding documents" se murad sarkaari dastawezaat ka ek majmua hai, jis mein Expression of Interest aur Request for Proposal bhi shamil hain, jo ek musabiqati bidding ke amal mein bid jama karane ke liye zarooriyat, sharaait aur tareeqa-e-kar ko bayan karta hai;

(iv) "blacklisted" se murad ek bidder, contractor, supplier, consultant, vendor, consortium ya joint venture hai, jis ko us khaas procuring agency ki public procurement ke amal mein hissa lene se roka gaya ho ya na-ahal qarar diya gaya ho, jis ne blacklisting ka hukm jari kiya ho;

(v) "call off order" se murad ek order hai, jo kisi procuring agency ki taraf se closed framework agreement ke tehat aam sharaait aur qeematon par, goods, works ya services ki ek range ke liye diya jaye, baghair har dafa sharaait par dobara guft-o-shaneed kiye;

(vi) "closed framework agreement" se murad ek aisa muahida hai, jis mein muqarrar sharaait-o-zawabit hon aur qeemat tay shuda ho;

(vii) "competitive bidding" se murad ek aisa tareeqa-e-kar hai, jis se contract dene ka faisla hota hai, jis mein tamam dilchaspi rakhne wale bidders contract ke liye bid de sakte hain, aur is mein national competitive bidding aur international competitive bidding dono shamil hain;

(viii) "contractor" se murad ek aisa bidder hai, jis ne procuring agency ke saath contract par dastakhat kiye hon;

(ix) "contract" se murad ek aisa muahida hai, jo qanoon ke zariye naafiz kiya ja sakta ho;

(x) "corrupt and fraudulent practices" se murad, procurement ke amal ke hawale se, darj zail mein se koi ek ya in ka koi majmua hai, yani:—

(a) "coercive practice" se murad kisi fareeq ya fareeq ki jayedad ko, brah-e-raast ya bil-wasta, nuqsan pahunchana, kharab karna ya nuqsan pahunchane ki dhamki dena hai, taake kisi fareeq ke aamaal par asar dala jaye, ghalat faida hasil kiya jaye ya kisi doosre fareeq ko ghalat nuqsan pahunchaya jaye;

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(b) "collusive practices" se murad procurement ke amal mein do ya do se zyada fareeqon ke darmiyan koi aisa intizam hai, jo khule muqable ko rokne ke liye banaya gaya ho, taake ghalat faida hasil kiya jaye, aur qeematein masnui, ghair-musabiqati satah par muqarrar ki jayen;

(c) "corrupt practices" se murad brah-e-raast ya bil-wasta, kisi bhi qeemti cheez ki peshkash karna, dena, lena ya mangna hai, taake kisi doosre fareeq ke aamaal par asar dala jaye aur ghalat faida hasil kiya jaye;

(d) "fraudulent practices" se murad koi bhi amal ya kotahi hai, jis mein ghalat bayani bhi shamil hai, jo jaan-boojh kar ya laparwahi se kisi fareeq ko gumrah karti hai, ya gumrah karne ki koshish karti hai, taake koi maali ya doosra faida hasil kiya jaye ya kisi zimmedari se bacha jaye; aur

(e) "obstructive practices" se murad brah-e-raast ya bil-wasta, logon ko nuqsan pahunchana ya nuqsan pahunchane ki dhamki dena hai, taake procurement ke amal mein un ki shirkat par asar dala jaye, ya kisi contract par amal-daramad par asar dala jaye;

(xi) "cross debarred" se murad ek aisa bidder ya contractor hai, jis ko Authority ne debar (na-ahal) qarar diya ho, aur jis ko tamam procuring agencies ki public procurement ke amal mein hissa lene se debar samjha jayega;

(xii) "EPADS" se murad E-Pak Acquisition and Disposal System hai, ek digital system jo Authority ne procurement ke amal ko manage aur chalane ke liye banaya aur naafiz kiya hai;

(xiii) "force account" se murad chhote works ya non-consultancy services ki procurement ko brah-e-raast contracting ke zariye anjam dena hai, kisi aisi state-owned agency ke saath, jis ke paas us khaas kaam ko anjam dene ke wasail hon, is baat ko yaqeeni banane ke baad ke ye laagat aur waqt ke lehaz se faida-mand hai;

(xiv) "framework agreement" se murad ek aisa muahida hai, jis ke tehat procuring agency ko ijazat hoti hai ke woh goods ya services khareede, jin ki musalsal ya baar-baar zaroorat hoti hai, tay shuda sharaait-o-zawabit par, ek tay shuda muddat ke dauran, kayi orders de kar;

(xv) "GRC" se murad Grievance Redressal Committee hai, jo shikayaat ke azale ke liye rule 65 ke tehat tashkeel di gayi hai;

(xvi) "letter of award" se murad ek rasmii khath hai, jo procuring agency ki taraf se kamyab bidder ko jari kiya jata hai, jis mein procurement contract dene ya purchase order jari karne ka irada zahir kiya jata hai;

(xvii) "non-consultancy services" se murad consultancy services ke ilawa doosri services hain, jo kisi kaam ya task ko anjam dene ke liye hon, gaariyon, machinery ya aalaat ke istemal ke saath ya baghair, ya jin mein operators, technicians ya drivers ki farahami bhi shamil ho sakti hai.

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(xviii) "open framework agreement" se murad ek aisa muahida hai, jis mein muqarrar sharaait-o-zawabit hon, lekin qeemat tay shuda na ho;

(xix) "Ordinance" se murad Public Procurement Regulatory Authority Ordinance, 2002 (XXII of 2002) hai;

(xx) "party" se murad ek tabee ya qanooni shakhs hai, dawedar ke tor par ya mudda-alaih ke tor par, jo bidder ho bhi sakta hai aur nahi bhi;

(xxi) "performance guarantee" se murad ek bank guarantee, demand draft ya koi aur aala hai, jo kamyab bidder ki taraf se diya jata hai, jaisa ke procuring agency tay kare, taake contract ke tehat zimmedari ko mehfooz kiya jaye, bidding documents mein batayi gayi zaroorat ke mutabiq;

(xxii) "procurement assignment" se murad kaam anjam dene ke faraiz ko sonpna hai, yani kisi procuring agency ke goods, works, services ki khareedari ya public assets ki disposal ke faraiz ko kisi doosri procuring agency ko sonpna, taake woh us procuring agency ki taraf se ye kaam anjam de;

(xxiii) "procurement notice" se murad procurement ke mauqon ki rasmii ittila hai;

(xxiv) "proposal" se murad ek aisi offer hai, jo kisi bidder ki taraf se request for proposal ke jawab mein jama karayi jaye, jis mein qeemat shamil ho bhi sakti hai aur nahi bhi;

(xxv) "secondary procurement process" se murad woh amal hai, jo open framework agreement ke tehat istemal kiya jata hai, taake kisi bidder ko chuna jaye aur goods, services ya works ki khareedari ke liye ek call off contract diya jaye;

(xxvi) "service provider" se murad ek qanooni ya tabee shakhs, firm, company, ya koi tanzeem, agent, consortium, joint venture partner hai, jis ki proposal, jo request for proposal ke jawab mein di gayi ho, qubool kar li gayi ho;

(xxvii) "standard bidding document" se murad bidding documents hain, jo Authority ki taraf se procurement ke amal ko mayari banane ke liye jari kiye gaye hon.

(xxviii) "successful bid" se murad ek aisi bid ya proposal hai, jo goods, works ya services ke liye ho, jo eligibility ya qualification ke mayar par poora utarne ke baad, bidding ya request for proposal documents mein batayi gayi sharaait-o-zawabit ke mutabiq responsive payi jaye, aur jis ko darj zail ki bunyad par sab se unchi darja-bandi wali bid ya proposal ke tor par janchha jaye —

(a) Laagat (Cost);

(b) Mayar (Quality); ya

(c) In dono ka koi majmua;

jo bidding documents ya request for proposal documents mein bataye gaye mayar ke mutabiq ho; aur

(xxix) "value for money" se murad har kharch kiye gaye rupay ke badle behtareen faida hai, mayar, waqt par farahami, bharosa, farokht ke baad ki khidmat, behtari ki salahiyat, qeemat, zariya, ya poori zindagi ki laagat aur mayar ke majmue ke lehaz se, taake procuring agency ki zarooriyat poori hon.

(2) Jo alfaz ya izhar in rules mein istemal hue hon, lekin in ki tareef in rules mein na di gayi ho, un ka wohi matlab hoga, jo Ordinance mein un ko diya gaya hai.

Rule 3 — Scope and Applicability

Dairah aur Itlaq

Siwaye is ke ke koi aur baat batayi gayi ho, ye Rules tamam public procurements par laagu honge, jo Federal Government ki procuring agencies ki taraf se ki jayen, chahe Pakistan ke andar hon ya Pakistan se bahar.

Rule 4 — Principles of procurements

Khareedari ke Usool

Procuring agencies, jab woh procurements mein hissa lein, ye yaqeeni banayengi ke procurements munsifana aur shaffaf tareeqe se ki jayen, procurement ka maqsad agency ko value for money de, aur procurement ka amal moassar aur kifayati ho.

Rule 5 — International and Inter-Governmental Commitments of the Federal Government

Wafaqi Hukumat ke Bain-ul-Aqwami aur Bain-ul-Hukumati Waday

Jab bhi ye Rules, Federal Government ki kisi zimmedari ya wade se mutsadim hon, jo kisi bain-ul-aqwami muahide ya kisi State ya States ke saath muahide, ya kisi bain-ul-aqwami maali idare ke saath muahide se paida hua ho, to us bain-ul-aqwami muahide ya muahide ki dafaat ghalib hongi, us mutsadim hisse ki had tak.

Rule 6 — Language

Zuban

(1) Federal Government ki procurements se mutaliq tamam mawasilat aur dastawezaat Urdu ya English mein hon gi, ya dono mein. Siwaye is ke ke jahan procuring agency Pakistan ki sarhadon se bahar waqe ho aur procurements maqami tor par ki jani hon, procuring agency Urdu ya English ke ilawa maqami zuban bhi istemal kar sakti hai.

(2) Jahan maqami zuban ka istemal zaroori paya jaye, asal dastawezaat Urdu ya English mein hon gi, jo record par mehfooz rakhi jayengi, aur tamam doosre maqasid ke liye un ke tarjume maqami zuban mein istemal kiye jayenge:

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(3) Kisi tanaze ki soorat mein, record par mehfooz rakhi gayi asal dastawezaat ki taraf ruju kiya jayega.

Rule 7 — Integrity Pact

Integrity Pact (Deeyanatdari ka Muahida)

Muqarrar had se zyada ki public procurements, ek integrity pact ke taabe hongi, jaisa ke standard bidding documents mein bataya gaya hai, jo procuring agency aur suppliers ya contractors ke darmiyan hoga.

Rule 8 — e-public Procurement

e-public Procurement

Procuring agencies, public procurement E-Pak Acquisition and Disposal System (EPADS) ke zariye karengi.

Rule 9 — Principal Accounting Officer or Head of Procuring Agency

Principal Accounting Officer ya Procuring Agency ka Sarbrah

(1) Principal Accounting Officer ya Procuring Agency ka Sarbrah, jaisa ke muamla ho, procuring agency ki taraf se ki jane wali tamam public procurements ke anjam par mukammal control aur nigrani rakhega.

(2) Sub-rule (1) ki umoomiyat par koi asar dale baghair, Principal Accounting Officer ya Procuring Agency ka Sarbrah —

(a) ye yaqeeni banayega ke tamam public procurements, Ordinance, rules aur regulations ke mutabiq ki jayen;

(b) procuring agency ke salana procurement plan ki manzoori dega;

(c) rule (10) ke mutabiq ek Procurement Cell qayam karega; aur

(d) rule 11 ke tehat Bid Evaluation Committees tashkeel dega;

(3) Sub-rule (2) ki shiq (c) ke hawale se,—

(a) Principal Accounting Officer ya Procuring Agency ka Sarbrah, Procurement Cell ke size, jagah aur dhanche ka faisla karega, us ki procurement ki zarooriyat aur tarbiyat-yafta aur tajurba-kar officers ki dastiyabi ko madde-nazar rakhte hue; aur

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(b) jahan procurement ki sargarmi ki satah, Procurement Cell banane ko jayez na samjhe, wahan Principal Accounting Officer ya Procuring Agency ka Sarbrah ek wahid public officer ko namzad kar sakta hai, taake woh Procurement Cell ke faraiz anjam de.

(4) Jahan Principal Accounting Officer ya procuring agency ka sarbrah, karkardagi ya maharat ki wajuhat se, is raye ka ho ke administrative department ya procuring agency, jo us ke control mein hai, ki kisi procurement se mutaliq ek ya zyada procurement ke kaam, kisi doosri procuring agency ke Procurement Cell ke zariye, jo us ke administrative control mein hai, behtar tareeqe se anjam diye ja sakte hain, to woh us doosri agency ko ikhtiyar de sakta hai ke woh woh kaam anjam de.

Rule 10 — Establishment of Procurement Cell

Procurement Cell ka Qayam

(1) Principal Accounting Officer ya procuring agency ka sarbrah ek Procurement Cell qayam karega, jo un officers par mushtamil hoga, jo Authority se duly accredited hon, aur jin ke paas mutaliqa qualification ya tajurba ho.

(2) Jahan Procurement Cell mein muqarrar kiye gaye officers Authority se accredited na hon, woh Procurement Cell mein khidmat jari rakhenge, is shart par ke woh Procuring Agency mein Procurement Cell ke qiyam ki notification ki tareekh se barah (12) mah ke andar Authority se accreditation hasil kar len.

(3) Procurement Cell ye kaam karega —

(a) requisitions ka jaiza lena aur un ko yakja karna;

(b) market analysis karna, budget ki dastiyabi ko yaqeeni banana aur Salana procurement plan tayyar karna;

(c) end users se rabta karna, taake mukammal contract ki zarooriyat aur technical specifications tay ki jayen;

(d) jahan munasib ho, third-party technical experts ki khidmat lena, jahan andaruni mutaliqa technical maharat ki kami ho;

(e) pre-qualification documents, bidding documents, requests for proposals aur requests for quotations tayyar karna aur taqseem karna;

(f) procurement notices shaya karna;

(g) procurement notices aur bidding documents ki wazahat ke liye ki gayi darkhwaston ka jawab dena;

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(h) bids, proposals aur quotations ko wasool karna aur mehfooz rakhna;

(i) Rule 32 ke sub-rule (1) ki shiqon (a) aur (b) ke tehat procurement karna;

(j) bids aur proposals ko bid evaluation committee ya third-party evaluation committee ko bhejna, rule 11 ke sub-rule (1) aur rule 13 ke sub-rule (1) mein muqarrar ki gayi maali hadon ke mutabiq, bil-tarteeb;

(k) procurement contract dene ki sifarish tayyar karna aur Principal Accounting Officer ya Procuring Agency ke Sarbrah ko, ya us officer ko, jo Principal Accounting Officer ya Procuring Agency ke Sarbrah ki taraf se Public Financial Management and Powers of Principal Accounting Officer Regulations, 2021 ke regulation 13 ke tehat ikhtiyar diya gaya ho, manzoori ke liye pesh karna;

(l) mutaliqa procurement ke amal ke nateeje se bidders ko EPADS ke zariye aagah karna;

(m) ye yaqeeni banana ke procurement contracts, un mein batayi gayi sharaait-o-zawabit ke mutabiq anjam diye jayen;

(n) blacklisting ke case ko procuring agency ki blacklisting committee ya Authority ki review committee ko bhejna, jaisa ke muamla ho;

(o) Principal Accounting Officer ya Procuring Agency ke Sarbrah ko, procuring agency ki procurement sargarmiyon par sah-mahi reports tayyar kar ke pesh karna, lekin har sah-mahi ke khatme ke do hafton se kam waqt mein nahi;

(p) procurement contract ki administration ek contract management committee ya contract manager ke zariye anjam dena;

(q) suppliers, contractors aur consultants ki karkardagi ko manage karna, jin ko procuring agency ki taraf se diye gaye procurement contracts ke tehat kaam diya gaya ho; aur

(r) tamam procurement karwaiyon ka mukammal record mehfooz rakhna.

Rule 11 — Bid Evaluation Committee

Bid Evaluation Committee

(1) Principal Accounting Officer ya Procuring Agency ka Sarbrah ya authorized officer, procuring agency ke andar, taaq adad (odd number) members par mushtamil ek Bid Evaluation Committee tashkeel dega, jo tamam procurements ki bid opening aur bid evaluation ke liye hogi, jin ki takhmeena qeemat do arab (2 billion) Pakistani rupees tak ho. Committee ke kam az kam ek member ke paas mutaliqa qualification ya tajurba aur Authority ki accreditation honi chahiye:

> Proviso: Jahan procuring agency ke andar accredited member dastiyab na ho, wahan baghair accreditation ke member ko bhi Bid Evaluation Committee mein muqarrar kiya ja sakta hai, is shart par ke woh apni taqruri ki tareekh se barah (12) mah ke andar PPRA se accreditation hasil kar le.

(2) Bid Evaluation Committee ke faraiz mein shamil hoga —

(a) rule 10 ke sub-rule (3) ki shiq (j) ke tehat Procurement Cell ki taraf se bids, quotations ya proposals ke hawale se bid opening ki notification aur record wasool karna;

(b) bids, quotations ya proposals ko munsifana, ghair-janibdarana tareeqe se kholna aur janchna, bidding documents mein bataye gaye evaluation criteria ke mutabiq;

(c) bid evaluation report tayyar karna, jis mein contract dene ki sifarish shamil ho, aur use Procurement Cell ko pesh karna; aur

(d) Procurement Cell, third-party validation committee ya Principal Accounting Officer ya procuring agency ke sarbrah ki taraf se uthaye gaye sawalon ka jawab dena.

Rule 12 — Third-Party Validation Committee

Teesri Fareeq ki Tauzeeq Committee

(1) Principal Accounting Officer ya procuring agency ka sarbarah, Authority ke zariye qaim kardah pre-qualified pool ya firm se, taaq adad (odd number) arkaan par mushtamil aik teesri fareeq ki Validation Committee notify karega, jis ke arkaan procuring agency se bahar ke hon.

> Proviso: Basharte ke Authority, jahan munasib samjhe, firms ka aik pre-qualified pool bhi qaim kar sakti hai.

(2) Teesri fareeq ki Validation Committee ya Firm, paanch sau million se zyada aur do arab Pakistani rupees tak ki tamam procurements ki tauzeeq (validation) karegi. Teesri fareeq ki tauzeeq, specification aur bidding documents ki tayari ke marhale, technical evaluation (agar koi ho) aur final evaluation ke marhale par ki jayegi.

(3) Teesri fareeq ki tauzeeq aur Bid Evaluation Committee ke darmiyan ikhtilaf ki surat mein, Principal Accounting Officer ya procuring agency ka sarbarah, tehreeri wajuhat (written justification) ke sath hatmi faisla karega.

(4) Committee ya Firm, jaisa ke muamla ho, darj zail faraiz anjaam degi, yani:—

(a) annual procurement plan ke mutabiq procurement ka jaiza lena aur us ki tasdeeq karna;

(b) bidding documents ka jaiza lena, jin mein public procurement regulatory regime ke sath un ki mutabiqat aur us maqsad ke liye un ki mukammaliyat bhi shamil hai;

(c) bid opening aur evaluation ke amal ki nigrani aur jaiza lena;

(d) procurement regulatory framework par amal ki tasdeeq karna;

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(e) kisi bhi kami, be-qaidgi aur ghair-mutabiqat ki nishandahi karna;

(f) final evaluation report ko hatmi shakal dene ya contract ke award se pehle, Procurement Cell ke zariye, Principal Accounting Officer ya procuring agency ke sarbarah ko, findings, observations aur sifarishat par mushtamil report tayyar kar ke pesh karna.

(5) Jahan teesri fareeq ki Validation Committee ya Firm ye tay karti hai ke bid evaluation committee ke zariye ki gayi procurement proceedings, Ordinance, Rules aur Regulations ki mutalliqa dafa'at ke mutabiq hain, to committee ya firm, procurement proceedings ki mutabiqat ki tasdeeq karegi; aur sifarish ko Procurement Cell ke zariye, Principal Accounting Officer ya Procuring Agency ke Sarbarah ya us officer ko bhejegi jo Principal Accounting Officer ya Procuring Agency ke Sarbarah ki taraf se majaz ho, jaisa ke muamla ho, Public Financial Management and Powers of Principal Accounting Officer Regulations, 2021 ke regulation 13 ke tehat, jaisa ke waqtan fawaqtan tarmeem shuda ho.

(6) Teesri fareeq ki Validation Committee ya Firm, Procurement Cell ya Bid Evaluation Committee se woh maloomat ya dastawezat talab kar sakti hai jo woh is rule ke maqasid ke liye zaroori samjhe, aur Procurement Cell ya Bid Evaluation Committee aisi maloomat ya dastawezat faraham karegi.

Rule 13 — External Bid Evaluation Committee

Bahar ki Bid Evaluation Committee

(1) Teesri fareeq ki evaluation ko yaqeeni banane ke liye, Principal Accounting Officer ya Procuring Agency ka sarbarah, Authority ke zariye qaim kardah pre-qualified pool ya firm se, taaq adad (odd number) arkaan par mushtamil aik committee notify karega, jis mein kam az kam do-tehaai arkaan procuring agency se bahar ke hon, un tamam procurements ke liye bids ki opening aur evaluation ke liye jin ki takhmeena qeemat (estimated value) do arab Pakistani rupees se zyada ho.

> Proviso: Basharte ke Authority, jahan munasib samjhe, firms ka aik pre-qualified pool bhi qaim kar sakti hai.

(2) Committee ke faraiz mein shamil hoga:—

(a) Procurement Cell se, rule 10 ke sub-rule (3) ki clause (j) ke tehat faraham kardah, bids, quotations ya proposals ke mutalliq bid opening notification aur record wasool karna;

(b) bids, quotations ya proposals ko munsifana aur ghair-janibdarana tor par aur bidding documents mein diye gaye evaluation criteria ke mutabiq kholna aur un ki evaluation karna;

(c) technical evaluation report, agar koi ho, aur final evaluation report tayyar karna, jis mein contract ke award ki sifarishat bhi shamil hon, aur use Procurement Cell ko pesh karna; aur

(d) Procurement Cell, Principal Accounting Officer ya procuring agency ke sarbarah ki taraf se uthaye gaye sawalat ka jawab dena.

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Rule 14 — Assignment of procurement function from one procuring agency to another

Aik procuring agency se doosri procuring agency ko procurement function ki tafweez

Aik procuring agency, goods, works, services ki khareedari ya public assets ki disposal ke liye, apna poora ya kisi hisse ka procurement function, us doosri procuring agency ki razamandi se, doosri procuring agency ko tafweez kar sakti hai. Jis procuring agency ko procurement function tafweez kiya gaya ho, woh us maqsad ke liye in rules par amal karegi.

Rule 15 — Procurement Planning

Procurement ki Mansoobabandi

(1) Tamam procuring agencies, apni tamam majooza procurements ke liye tafseel se mansoobabandi ka aik mechanism wazaa karengi, is maqsad se ke procuring agency ki zarooriyat ko, us ke dastiyab wasail, delivery time ya completion date aur un fawaid ke andar, haqeeqat pasandana tor par tay kiya ja sake jo mustaqbil mein procuring agency ko hasil hon ge.

(2) Procuring agency, Authority ki taraf se jari kardah template ke mutabiq, apna annual procurement plan EPADS par aur Authority ki website par shaya karegi.

(3) Procuring agency ye yaqeeni banayegi ke tamam public procurements us ke annual procurement plan ke mutabiq ki jayen.

(4) Procuring agency, open competitive bidding ke ilawa kisi aur procurement method ko apnane ki surat mein, us ki wajuhat record karegi.

(5) Procuring agency, apni ubharti hui zarooriyat ke mutabiq, apne annual procurement plan mein tarmeem ya use update kar sakti hai, apni wajuhat tehreer mein record karne ke baad.

Rule 16 — Valuing procurement and artificial aggregation or division

Procurement ki qeemat ka taayun aur masnooi jama ya taqseem

(1) Aik procurement contract, ya framework agreement ke tehat tamam contracts ki takhmeena qeemat (estimated value) ka hisab, us kul raqam ki bunyad par hoga jo procuring agency ke takhmeene ke mutabiq ada karni hogi.

(2) Works contracts ki takhmeena qeemat ka hisab lagate waqt, works ki lagat aur works ki takmeel ke liye zaroori supplies ki kul takhmeena qeemat, dono ko madde nazar rakha jayega.

(3) Takhmeena qeemat ka hisab, procurement notice ke jari hone ke waqt lagaya jayega.

(4) Procuring agency, procurement ke kisi maqsad ko masnooi tor par taqseem nahi karegi, is irade se ke munasib procurement method ke taayun ke liye muqarrar kardah financial thresholds se bacha ja sake ya muqabla kisi aur tarah mehdood kiya ja sake.

(5) Sub-rule (4) mein mojood kisi bhi baat ke bawajood, aik procuring agency, procurement ki aik zaroorat ko, jo aik hi contract ke tor par procure ki ja sakti ho, aik ya zyada packages ya lots mein taqseem kar sakti hai, jo aik sath tender kiye jayen ge, jahan ye tawwaqo ho ke kayi alag-alag contracts ka award, darj zail ka sabab banega:—

(a) procuring agency ke liye behtareen majmooi qeemat (best overall value); ya

(b) Government ke sustainable procurement goals ka hasool.

(6) Lots mein taqseem kiye gaye contract ki takhmeena qeemat, tamam lots ki kul qeemat hogi jo procure kiye jane hain.

Rule 17 — Specifications

Specifications (Tafseelat)

(1) Procuring agency, specifications ko is tarah define kar ke, widest possible competition ki ijazat degi ke woh kisi aik bidder ko pasand na kare aur na doosron ko nuqsan mein dale.

(2) Specifications mein, jahan munasib ho, darj zail shamil ho sakta hai:—

(a) procurement ka maqsad aur objectives;

(b) zaroorat ki mukammal tafseel;

(c) munasib tafseel ki satah tak aik generic specification;

(d) zarooriyat ki functional tafseel, jis mein koi bhi maholiyati ya hifazati khususiyat bhi shamil ho;

(e) performance parameters, jin mein outputs, timescales aur koi bhi indicators ya criteria shamil hon jin se tasalli-bakhsh performance ka andaza lagaya ja sake;

(f) processes aur materials ki tafseel;

(g) dimensions, symbols, terminology language, packaging, marking aur labelling ki zarooriyat;

(h) common procurement vocabulary jo muamle mein lagoo ho, agar wazaa ki gayi ho;

(i) inspection aur testing ki zarooriyat; aur

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(j) koi bhi lagoo standards.

(3) Koi bhi terms, specifications, standards feature, characteristics aur requirements jo technical ya quality characteristics ko bayan karte hon, generic noiyat ki hongi aur un mein brand name, model number, catalogue number, mulk ke naam ya origin ya isi tarah ki kisi classification ka hawala shamil nahi hoga, siwae sub-rule (4) ke muamle ke.

(4) Is surat mein ke procuring agency ki pakki rai ho ke brand name ya catalogue number ka istemal ya hawala, aik namukammal specification ko mukammal karne ke liye zaroori hai aur goods, works ya services ki characteristics ko bayan karne ka koi aur kaafi darust ya qabil-e-fehm tareeqa dastiyab nahi hai, to us mein makhsoos wajuhat tehreer mein record karne ke baad, "or equivalent" ke alfaz istemal kiye jayen ge. Procuring agency, evaluation process ki shaffafiyat ko yaqeeni banane ke liye, "equivalence" ke parameters define karne ki zimmedar hogi.

(5) Bidding documents aur koi bhi izafi maloomat, EPADS par procurement notice ki ishaat ke foran baad, prospective bidders ko dastiyab kar di jayen gi.

PROCUREMENT PUBLICATIONS
Procurement ki Ishaatein

Rule 18 — Methods of publication

Ishaat ke tareeqe

(1) Do lakh Pakistani rupees se zyada ki tamam procurements, jin mein request for quotation bhi shamil hai, EPADS par aur Authority ki website par shaya ki jayen gi, aur is ke ilawa procuring agency ki website par bhi, agar koi ho.

> Proviso: Basharte ke Pakistan se bahar ki procuring agencies, tamam procurements, Authority ki taraf se regulations ke zariye tay kardah financial limits ke mutabiq karengi.

(2) Paanch million Pakistani rupees se zyada ki tamam procurement opportunities, EPADS par aur is ke ilawa wide circulation wali doosri print media ya akhbarat mein shaya ki jayen gi. Akhbarat mein ishtihar bunyadi tor par kam az kam do qomi akhbarat mein shaya hoga, aik English mein aur doosra Urdu mein.

(3) Procuring agency ye yaqeeni banayegi ke EPADS aur procuring agency ki website par shaya ki gayi maloomat, un maqasid ke liye mukammal ho jin ke liye use shaya kiya gaya hai, aur aisi maloomat bids jama karane ki aakhri tareekh tak dastiyab rahegi.

Rule 19 — Response Time

Jawab ka waqt (Response Time) www.tenderalerts.net

(1) Procuring agency, procurement notice ki ishaat ki tareekh se, bids ya proposals — jin mein pre-qualification ke liye proposals bhi shamil hain — ki wasooli ke liye response time muqarrar karegi, har procurement ki complexity, dastiyabi aur urgency ko madde nazar rakhte hue.

(2) Response time, EPADS par procurement notice ki ishaat ki tareekh se, national competitive bidding ke liye das din se kam aur international competitive bidding ke liye bees din se kam nahi hoga.

(3) Response time ka hisab, EPADS par ishtihar ki ishaat ki tareekh se lagaya jayega.

> Proviso: Basharte ke rule 32 ke sub-rule (1) ki clause (b) ke tehat procurement ki surat mein, response time chaubees ghante se kam nahi hoga.

Rule 20 — Exceptions

Istisnaat

(1) In rules mein is ke bar-aks faraham kiye jane ke ilawa, tamam procuring agencies ke liye tamam procurement notices shaya karna lazmi hoga.

(2) Procurement notices ki ishaat ki zarooriyat lagoo nahi hongi jahan procuring agency, darj zail mein se aik ya zyada bunyadon par, Authority ki pehle se manzori hasil kar le, yani:—

(a) majooza procurement ka talluq national security se ho aur us ki ishaat se national security ke objectives ko khatra ho sakta ho; ya

(b) majooza procurement notice ya us ki ishaat, kisi bhi tarah, aisi maloomat ke inkishaf se mutalliq ho jo proprietary noiyat ki ho ya intellectual property ki tareef mein aati ho jo aik hi source se dastiyab ho.

QUALIFICATION, PRE-QUALIFICATION, AND DIS-QUALIFICATION OF BIDDERS SUPPLIERS AND CONTRACTORS

Bidders, Suppliers aur Contractors ki Qualification, Pre-qualification aur Dis-qualification

Rule 21 — Eligibility of Bidders

Bidders ki Ehliat

(1) Aik bidder, procurement process mein hissa lene ka ehl hoga, agar woh:—

(a) procurement contract mukammal karne ke liye zaroori technical competence, financial resources, equipment aur doosri physical facilities, personnel, managerial capability, experience aur past performance rakhta ho;

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(b) procurement contract mein dakhil hone ki qanooni salahiyat rakhta ho;

(c) dewaliya (bankrupt) qarar na diya gaya ho ya, company ya firm ki surat mein, insolvent na ho ya use khatam (wound up) na kiya ja raha ho aur us ki sargarmiyan ya muamlat kisi Competent Authority ya Court of law ki taraf se muattal na hon;

(d) kisi aisi qanooni karwai ke tehat na ho jis ke nateejay mein dewaliya pan ya koi aur aisi surat-e-haal paida ho sakti ho jis mein jayedad ke intizam aur use dispose karne ke haq ka mukammal ya juzwi nuqsan ho;

(e) Court of Law ke hatmi faisle (final judgment) se mujrim (convicted) qarar na diya gaya ho;

(f) bid jama karane ke waqt, procuring agency ki taraf se blacklisted na ho ya Authority ki taraf se cross-debarred na ho;

(g) bid jama karane ke waqt, kisi international financial institution, international organizations, ya kisi doosre multilateral development Bank ki taraf se, un ki taraf se tay kardah muddat ke liye, blacklisted ya debarred na ho; aur

(h) company ki surat mein, us ke owners aur beneficial owners, directors ya officers, darj zail se mutalliq kisi criminal offence mein mujrim (convicted) qarar na diye gaye hon:—

(i) us ke professional conduct; ya

(ii) tender documents mein muqarrar kardah muddat ke andar aik prohibited practice, aur woh Pakistan mein kisi procurement process se debarred na kiya gaya ho, ya company ki surat mein, us ke owners aur beneficial owners, directors ya officers debarred na kiye gaye hon.

(2) Ordinance, rules aur regulations ke tehat ijazat ke ilawa, procuring agency, bidder ki ehliat ke liye aisa criterion muqarrar nahi karegi jo:—

(a) kisi bidder ke khilaf ya bidders ke darmiyan ya bidders ki categories ke khilaf imtiaz (discrimination) karta ho; ya

(b) procurement contract ki takmeel ke liye zaroori na ho; ya

(c) procuring agency ko qanooni, shuhart (reputational) ya maali (economic) khatre ke intizam se bachne se mutalliq na ho, jab tak ke aisa karna qomi mafaad mein na ho, aur criterion bidding documents mein darj ho.

Rule 22 — Pre-qualification

Pre-qualification

(1) Procuring agency, procurement notices jari karne se pehle, services, civil works, turnkey projects ki surat mein aur mehngay aur technically complex equipment ki procurement ki surat mein, bidders ki pre-qualification kar sakti hai, taake sirf technically aur financially qabil firms, jin ke paas kaafi managerial capability ho, ko bids jama karane ki dawat di jaye. Aisi pre-qualification, dilchaspi rakhne wali parties ki qualifications ka taayun karegi aur sirf is baat par mabni hogi ke dilchaspi rakhne wali parties, us makhsoos kaam ko tasalli-bakhsh tor par anjaam dene ki salahiyat rakhti hain ya nahi.

Rule 23 — Pre-qualification Process

Pre-qualification ka Tariqa-e-Kaar

(1) Pre-qualification karne wali procuring agency, pre-qualification documents mein, pre-qualification ke liye darkar tamam maloomat ka elaan karegi, jin mein pre-qualification documents ki tayari aur jama karane ki hidayat, evaluation criteria, apni qualification sabit karne ke liye darkar documentary evidence ki fehrist aur koi bhi doosri maloomat shamil ho jo procuring agency pre-qualification ke liye zaroori samjhe.

(2) Procuring agency, evaluation report shaya karegi jis mein un tamam bidders ke naam darj hon ge jo pre-qualified aur dis-qualified kiye gaye hon, aur wohi report EPADS par aur Authority ki website par shaya ki jayegi, aur is ke ilawa procuring agency ki website par bhi, agar koi ho.

(3) Koi bhi bidder ya fareeq jo procuring agency ke faisle se mutasir (aggrieved) ho, rule 65 ke mutabiq karwai kar sakta hai.

(4) Procuring agency, pre-qualification process ko, pre-qualification documents mein muqarrar kardah munasib waqt ke andar hatmi shakal degi, taham pre-qualification, EPADS par pre-qualification ke nataij ki ishaat ki tareekh se shuru ho kar, chhe mahine ki muddat ke liye valid hogi.

(5) Procuring agency, un bidders ko bhi, jo pre-qualified nahi hue, un ke pre-qualified na hone ki wajuhat se aagah karegi.

Rule 24 — Qualification and disqualification of bidders

Bidders ki qualification aur disqualification

(1) Procuring agency, procurement proceedings ke kisi bhi marhale par, bidder ki ehliat mein kisi nuqs ki credible wajuhat ya prima facie evidence ki bunyad par, bidder se mutalba karegi ke woh professional, technical, financial, legal ya managerial competence se mutalliq maloomat faraham kare, chaahe woh pehle se pre-qualified ho ya na ho.

(2) Procuring agency, bidder ko procurement process se disqualify kar degi agar bidder:—

(a) apni ehliat se mutalliq aisi maloomat jaan boojh kar jama kare jo maadi tor par ghalat (materially inaccurate), namukammal ya jhooti ho; ya

(b) sub-rule (1) ke tehat darkar maloomat faraham karne mein nakam rahe.

(3) Bidder ki qualification aur dis-qualification ka amal, procurement proceedings ke record ka hissa banaya jayega.

Rule 25 — Blacklisting

Blacklisting

(1) Procuring agency, Mechanism for Blacklisting Regulations, 2024 ke mutabiq, kisi bhi bidder, supplier ya contractor ke khilaf blacklisting ki karwai shuru karegi aur aise bidder, supplier ya contractor ko blacklist karegi—

(a) das saal tak ke liye, is soorat mein jab bidder, supplier ya contractor corrupt aur fraudulent practices mein mulawwis raha ho ya Pakistan ke qawaneen ke tehat saza yafta ho jo us shakhs ki imandari par sangeen sawal uthaye; ya

(b) paanch saal tak ke liye, is soorat mein jab bidder, supplier ya contractor ne bid jama karane ke silsile mein jaan boojh kar ghalat ya gumrah kun maloomat di hon ya rule 21 ke mutabiq apni eligibility ke bare mein ahem maloomat zahir karne mein nakam raha ho; ya

(c) chhe maah ke liye, is soorat mein jab bidder, supplier ya contractor contract par amal-daramad ke doran apni muahiday ki zimmedariyan poori karne mein nakam raha ho, bashart-e ke procuring agency ne contract ke tehat contract ki khilaf-warzi sabit karne ke liye karwai ki ho; ya

(d) chhe maah ke liye, is soorat mein jab ye sabit ho jaye ke bidder, supplier ya contractor procurement ke amal mein khalal dalne aur awami wasail zaya karne ke liye musalsal ghair mamooli tor par kam bid lagane mein mulawwis raha hai; ya

(e) chhe maah se zyada na ho is muddat ke liye, agar bidder, supplier ya contractor kisi corrupt aur fraudulent practice mein mulawwis hue baghair bid securing declaration ki pabandi karne mein nakam rahe.

(2) Aisi blacklisting ki karwai ki ittila procuring agency mutaliqa bidder, supplier ya contractor ko aik faislay ki soorat mein degi, jis mein aisi karwai ki wajuhat darj hongi.

(3) Procuring agency blacklisting ka faisla Authority ko bhi us karwai ki wajuhat ke sath, us ki jaanch ke maqsad se, bheje gi, aur Authority blacklisting ke faislay ko ya to kaladam qarar degi ya use cross debarment ke sath ya baghair cross debarment ke barqarar rakhe gi.

(4) Authority record ki jaanch karegi aur, agar ye sabit ho jaye ke bidder, supplier ya contractor ke khilaf lagaye gaye ilzamat sabit hain, to—

(a) bidder ya supplier ya contractor ko cross debar karegi, us muddat ke barabar muddat ke liye jo procuring agency ne sub-rule (1) ke tehat blacklisting ke tor par di ho; ya

(b) bidder ya supplier ya contractor ko har qism ke procurement ke amal mein shirkat se cross debar karegi, kisi bhi aisi shart ke tehat jo Authority zaroori samjhe; ya

(c) contract ki karkardagi mein nakami ki sangeeni ko madde-nazar rakhte hue, debarment ke ilawa, Authority ki taraf se muta'yan kardah jurmana lagaye gi.

(5) Procuring agency ki taraf se kisi bidder, supplier ya contractor ko blacklist karne ka faisla tab tak naafiz nahi hoga jab tak sub-rule (6) ke tehat faraham kardah qanuni chara-joi khatam na ho jaye ya us ki muddat guzar na jaye. Blacklisting ya cross debarment ka hatmi faisla bidder ko foran bheja jaye ga aur Authority ki website par bhi upload kiya jaye ga.

(6) Bidder aisi blacklisting ya debarment ki ittila milne ke tees din ke andar, muqarrar kardah fee jama karane ke baad aur Authority ki taraf se jari kardah procedure ke mutabiq, Authority ke samne review petition daakhil kar sakta hai, aur Authority petition ka jaiza le gi aur review petition daakhil hone ke nabbe din ke andar faisla karegi. Authority ka faisla hatmi hoga.

(7) Us bidder ko, jise kisi international financial institution, international organization, ghair-mulki mulk ya kisi doosre multilateral development bank ne blacklisted ya debarred qarar diya ho, blacklisted aur cross debarred samjha jaye ga, kisi bhi public procurement ki karwai mein hissa lene ya kisi bhi public contract mein dakhil hone se, us muddat ke liye jo us international financial institution, international organization, ghair-mulki mulk ya doosre multilateral development bank ne elaan ki ho:

> Proviso: Bashart-e ke public sector entities ke muamlay mein, Public Procurement Regulatory Authority Board ko ye ikhtiyar hoga ke wo Authority ki taraf se ki gayi evaluations ki bunyad par case ka review aur jaanch kare aur case ka faisla us ke mutabiq kare.

(8) Is rule mein maujood kisi bhi cheez ke bawajood, blacklisted ya debarred bidder, supplier ya contractor us jaari public contract ya contracts mein apni muahiday ki zimmedariyan poori karne ka paband hoga jin mein aisa bidder pehle se masroof ho. Ye, taham, mutaliqa procuring agency ki marzi par hoga.

(9) Agar ye dekha jaye ke bidders procurement ke amal mein khalal dalne aur awami wasail zaya karne ke liye musalsal ghair mamooli tor par kam bid lagane mein mulawwis rahe hain, to muamla mazeed tehqeeqat aur kisi bhi jurmanay ke aayed karne ke liye blacklisting committee ko bheja ja sakta hai, jis mein bidders ki blacklisting bhi shamil ho, sub-rule (1) ki clause (d) ke tehat chhe maah se zyada na ho is muddat ke liye.

Tender Alert

METHODS OF PROCUREMENT
Kharidari ke Tareeqay

Rule 26 — Principal method of procurement
Kharidari ka Bunyadi Tareeqa www.tenderalerts.net

(1) In rules mein is ke bar-aks faraham kiye jane ke ilawa, aik procuring agency istemal karegi—

(a) goods, works aur services ki procurement ke liye open competitive bidding, jab bhi khareedi jane wali cheez ki qeemat us muqarrar kardah mali had se zyada ho jo rule 32 ki clause (b) ke tehat laagu hoti hai;

(b) in rules ke schedule I mein darj commodities ki khareed ke liye single stage two envelope bidding;

(c) framework agreements ke tehat goods ya services ki procurement ke liye open competitive bidding;

(d) Authority ki taraf se muqarrar kardah Procurement of Consultancy Services Regulations ki mutaliqa dafaat ke mutabiq, consulting services ke liye request for proposals; aur

(e) gallop tendering.

Rule 27 — Procedures of Open Competitive Bidding

Open Competitive Bidding ke Tariqa-kar

In rules mein is ke bar-aks faraham kiye jane ke ilawa, open competitive bidding ke liye darj zail tariqa-kar istemal kiye jayen ge, ya'ni:—

(a) Single stage – one envelope procedure. Har bid mein alag alag, financial proposal aur technical proposal, (agar koi ho), shamil hogi. EPADS ke zariye mauzool hone wali tamam bids bidding document mein muqarrar kardah tareeqay se kholi aur evaluate ki jayen gi.

(b) Single stage – two envelope procedure.

(i) Bidder technical proposal aur financial proposal alag alag jama karega;

(ii) ibtida mein, technical proposal kholi jaye gi jab ke financial proposal band rahe gi;

(iii) procuring agency technical proposal ko pehle se muqarrar kardah tareeqay se, qeemat ka hawala diye baghair, evaluate karegi aur kisi bhi aisi proposal ko mustarad kar degi jo muqarrar kardah taqazon ke mutabiq na ho. Technical evaluation ke doran technical proposal mein kisi bhi tarmeem ki ijazat nahi hogi;

(iv) technical proposal ki evaluation aur manzoori ke baad procuring agency bid validity period ke andar kisi waqt, technically qabool kardah bids ki financial proposals khole gi, aur bids ki financial opening EPADS ke zariye hogi aur hissa lene wale bidders ko EPADS par apne accounts mein reports milen gi; aur

(v) wo bid jo sab se zyada faida-mand payi jaye, qabool ki jaye gi.

(c) Two stage bidding procedure.

First Stage:

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(i) Bidders pehle, matlooba specifications ke mutabiq, baghair qeemat ke aik technical proposal jama karen ge;

(ii) technical proposal EPADS ke zariye kholi aur muqarrar kardah evaluation criteria ke mutabiq evaluate ki jaye gi aur kisi bhi kami aur ghair-tasalli-bakhsh technical khusoosiyat par bidders ke sath baat-cheet ki ja sakti hai;

(iii) aisi baat-cheet ke baad, tamam bidders ko apni mutaliqa technical proposals par nazar-sani karne ki ijazat di jaye gi ta ke wo procuring agency ke taqazon ko poora kar saken;

(iv) procuring agency technical requirements ya evaluation criteria ke kisi bhi pehlu par nazar-sani kar sakti hai, use hazaf kar sakti hai, use tabdeel kar sakti hai ya us mein izafa kar sakti hai, ya wo in rules se mutasadim na hone wali nayi requirements ya criteria shamil kar sakti hai:

> Proviso: Bashart-e ke aisi nazar-sani, hazaf, tabdeeli ya izafay, final bids jama karane ki dawat ke waqt, tamam bidders ko barabar tor par bataye jayen:

> Proviso: Mazeed bashart-e ke revised technical proposal aur financial proposal jama karane ki tareekh muqarrar karte waqt aik procuring agency bidders ko technical proposal mein tay shudah tabdeeliyan shamil karne aur us ke mutabiq apni financial proposals tayyar karne ke liye saat din se kam na ho itna kaafi waqt degi;

(v) un bidders ko, jo apni mutaliqa bids ko procuring agency ki technical requirements ke mutabiq karne par raazi na hon, apni bid security zabt hue baghair bidding se dastbardar hone ki ijazat di ja sakti hai;

Second Stage:

(i) un bidders ko, jin ki technical proposals ya bids mustarad nahi ki gayi hain aur jo apni bids ko procuring agency ki revised technical requirements ke mutabiq karne par raazi hain, revised technical proposal ke sath financial proposal jama karane ki dawat di jaye gi;

(ii) revised technical proposal aur financial proposal us waqt, tareekh aur jagah par kholi jayen gi jo pehle se elaan ki gayi ho aur bidders ko batayi gayi ho; aur

(iii) revised technical proposal aur financial proposal upar muqarrar kardah tareeqay se evaluate ki jayen gi. Wo bid jo kamyab payi jaye, qabool ki jaye gi:

(d) Two stage – two envelope bidding procedure.

First Stage:

(i) Bidder financial proposal aur technical proposal alag alag upload karega;

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(ii) ibtida mein, technical proposal EPADS ke zariye kholi jaye gi, jab ke financial proposal band rahe gi;

(iii) technical proposal par bidders ke sath procuring agency ki technical requirements ke hawale se baat-cheet ki jaye gi;

(iv) un bidders ko, jo procuring agency ki requirements poori karne par raazi hon, in baat-cheet ke baad apni technical proposals par nazar-sani karne ki ijazat di jaye gi; aur

(v) un bidders ko, jo apni technical proposal ko procuring agency ki revised requirements ke mutabiq karne par raazi na hon, apni mutaliqa bids apni bid security zabt hue baghair wapas lene ki ijazat di jaye gi;

Second Stage:

(i) technical requirements par mutaliqa committee aur bidders ke darmiyan ittefaq ke baad, wo bidders jo revised technical specifications ke mutabiq karne par raazi hon aur jin ki bids pehle se mustarad nahi ki gayi hain, technical requirements ke mutabiq aik revised technical proposal aur supplementary financial proposal jama karen ge;

(ii) revised technical proposal aur asl financial proposal, supplementary financial proposal ke sath, us mutaliqa muqarrar kardah waqt, tareekh aur jagah par kholi jayen gi jo procuring agency ne pehle se elaan ki ho; aur

(iii) mutaliqa committee poori proposal ko evaluation criteria ke mutabiq evaluate karegi aur wo bid jo sab se zyada faida-mand payi jaye, qabool ki jaye gi:

> Proviso: Bashart-e ke revised technical proposal aur supplementary financial proposal jama karane ki tareekh muqarrar karte waqt aik procuring agency bidders ko technical proposal mein tay shudah tabdeeliyan shamil karne aur matlooba supplementary financial proposal tayyar karne ke liye saat din se kam na ho itna kaafi waqt degi.

Rule 28 — Conditions for use of single stage one envelope, single stage two envelope, two stage and two stage two envelope bidding procedures

Single stage one envelope, single stage two envelope, two stage aur two stage two envelope bidding procedures ke istemal ki sharaait

Open competitive bidding ke tariqa-kar darj zail halaat mein istemal kiye jayen ge, ya'ni:—

(a) single stage one envelope bidding procedure wahan istemal kiya jaye ga jahan specifications wazeh, achhi tarah muta'yan aur mayari hon aur jahan koi ya wasee technical evaluation darkar na ho;

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(b) single stage two envelope bidding procedure wahan istemal kiya jaye ga jahan bids ko technical aur financial bunyadon par evaluate karna ho aur qeemat ko technical evaluation ke baad madde-nazar rakha jaye;

(c) two stage bidding procedure bare aur pechida contracts mein apnaya jaye ga jahan technically ghair-barabar proposals ka samna hone ka imkaan ho ya jahan procuring agency market mein apne options se waaqif ho lekin, performance requirements ke aik muqarrar kardah set ke liye, procuring agency ke liye do ya zyada barabar tor par qabool technical hal maujood hon; aur

(d) two stage two envelope bidding method us procurement ke liye istemal kiya jaye ga jahan mutabadil technical proposals mumkin hon, jaise ke machinery ya equipment manufacturing plant ki kisi khaas qism ke liye.

Rule 29 — Procedure for procurement of commodities listed in schedule 1

Schedule 1 mein darj commodities ki khareed ka tariqa-kar

(1) In rules mein maujood kisi bhi cheez ke bawajood, procuring agency us mein darj commodities ki procurement ke liye schedule mein muqarrar kardah tez raftaar timelines par amal karegi aur schedule I mein darj commodities ki khareed ke liye aik ishtehar Authority ki website, procuring agency ki website aur aisi international websites ya journals par shaya kiya jaye ga jahan in commodities ki tijarat ke ishtehar aam tor par diye jate hain.

(2) Is rule ke tehat procurement ke liye bidding documents mein specifications, quantities, quality parameters, evaluation criteria aur mutaliqa qomi ya bain-ul-aqwami standards ki wazahat hogi, specimen criteria ke ilawa.

(3) Bidding documents EPADS par upload kiye jayen ge aur un mein final evaluation report ke jari hone aur contract par dastakhat ki aarzi tareekhen hongi.

(4) Evaluation report us ke jari hone ke foran baad EPADS ke zariye tamam bidders ko bhej di jaye gi, is ke ilawa use Authority aur procuring agency ki website par bhi lagaya jaye ga.

(5) Agar bid data sheet mein ye likha ho ke bidders demand poori karne ke liye matlooba quantity se kam quantity offer kar sakte hain, to procuring agency baaqi quantity agle kamyab bidder ko de sakti hai aur isi tarah aage bhi, jab tak procuring agency ki taraf se ishtehar di gayi matlooba quantities poori na ho jayen aur agar wo qeemat ko kamyab bidder ki qeemat ke barabar lane par raazi hon.

Rule 30 — Framework Agreements

Framework Muahide

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(1) Procuring agency framework agreements ke zariye, jin mein open framework agreement aur closed framework agreement shamil hain, aam istemal ki ashya (common use goods), khidmat ya kaam (works) khareed sakti hai, jahan un ki baar baar zaroorat ho, lekin makhsoos zarooriyat ki noiyat aur waqt ka pata us waqt tak na ho jab tak order na diya jaye.

(2) Closed framework agreement ki surat mein procuring agency framework agreement mein tay shuda aam sharaait aur qeemat ke tehet, baghair muzakaray (negotiation) ke, ashya, kaam ya khidmat ke liye call off order de sakti hai.

(3) Open framework agreement ki surat mein khareedari aik saanwi khareedari amal (secondary procurement process) ke zariye ki jaye gi, jab aur jaisa zaroorat ho, yani call off contract jis ke nateejay mein contract diya jaye.

(4) Open framework agreement ki zyada se zyada muddat teen saal se zyada nahi hogi aur closed framework agreement aik saal se zyada nahi hoga.

(5) Open framework agreement ke tehet khareedari ka contract ya purchase order sirf us bidder ko diya ja sakta hai jo open framework agreement ka fareeq ho aur woh ya to diya jaye ga—

(a) un bidders ke darmiyan mehdood muqablay (limited competition) ke zariye jo framework agreement ke fareeq hain; ya

(b) baghair muqablay ke—

(i) jahan sirf aik bidder framework agreement ka fareeq ho; ya

(ii) framework agreement mein bidder ke intikhab ke liye aik maroozi (objective) tareeqa-e-kar diya gaya ho.

(6) Procuring agency aarzi salana takhmeenay (provisional annual estimates) tayyar kare gi jin mein tafseel, specifications, zarooriyat ka bayan aur miqdaar shamil hongi, jo framework agreements ke zariye khareed ki jane wali ashya ya khidmat ke liye maqool talab ke takhmeenon par mabni hongi.

(7) Aisi takhmeenay ki bunyad par, procuring agency bidders ke intikhab ke liye pre-qualification ki karwai shuru kare gi. Muntakhab bidders ke sath framework agreements kiye ja sakte hain.

(8) Procuring agency zaroorat ki bunyad par open framework agreements ke doran, pehle se pre-qualified bidders ke sath sath, naye bidders ko bhi pre-qualify kar sakti hai.

Rule 31 — Gallop tender

Gallop Tender

(1) Procuring agency, bazaar mein ashya, kaam aur khidmat ki khareedari ki surat mein, gallop tendering ka tareeqa istemal kar sakti hai agar khareedari ki qeemat saat lakh Pakistani rupees aur bees lakh Pakistani rupees ke darmiyan ho.

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(2) Procuring agency gallop tendering ke liye darj zail tareeqa-e-kar apnaye gi, yani:—

(a) tender EPADS, Authority ki website aur procuring agency ki website par shaya kiya jaye ga;

(b) kam se kam jawab ka waqt (minimum response time) EPADS par khareedari ke notice ki ishaat ki tareekh se paanch din hoga;

(c) boliyan usi tareekh ko aur band hone ke waqt ke kam se kam tees minute baad kholi jayen gi;

(d) procuring agency gallop tendering ke liye single stage-one envelope tareeqa istemal kare gi;

(e) gallop tender ke tehet shikayat darj karne aur us ke azalay ka waqt EPADS par hatmi jaiza report (final evaluation report) ki ishaat ki tareekh se do din se zyada nahi hoga aur us ke baad procuring agency letter of award jari kar sakti hai;

(f) procuring agency Grievance Redressal Report (agar koi ho) ke jari hone ke baad purchase ya work order jari kar sakti hai; aur

(g) bidder ko bid securing declaration dena hoga.

Rule 32 — Alternative methods of procurements

Khareedari ke Mutaabadil Tareeqe

(1) Procuring agency ashya, kaam aur khidmat ki khareedari ke liye darj zail khareedari ke tareeqe istemal kar sakti hai, yani:—

(a) Shopping without request for quotations (Baghair quotation talab kiye khareedari).—Procuring agencies tamam ashya, kaam aur khidmat khareed sakti hain jahan khareedari ki kul raqam do lakh Pakistani rupees se kam ho. Aisi khareedari ka mukammal record EPADS par dastiyab hoga.

(b) Shopping through request for quotations (Quotation talab kar ke khareedari).—Procuring agencies tamam ashya, kaam aur khidmat khareed sakti hain jahan khareedari ki kul qeemat do lakh Pakistani rupees se zyada lekin saat lakh Pakistani rupees se kam ho, GST registered firms se, agar laagu ho, original equipment manufacturers ya authorized dealers se quotation talab kar ke, bashart-e-ke kam se kam teen quotations hasil ki gayi hon aur khareedari ka maqsad us supplier se khareedna ho jo sab se kam qeemat de raha ho.

(c) Direct contracting (Barah-e-raast contract).—Aik procuring agency direct contracting kar sakti hai agar darj zail sharaait mojood hon, yani:—

(i) khareedari ka talluq original manufacturer ya supplier se spare parts ya izafi khidmat ke hasool se ho;

(ii) khaas haqooq ya zehni malkiyat (exclusive rights or intellectual property) ke tahaffuz se mutalliq wajohat ki bina par, supplies sirf aik makhsoos supplier hi bana ya de sakta ho;

(iii) jahan supplier ki tabdeeli ki wajah se procuring agency ko mukhtalif technical specifications ya khasoosiyat wala material khareedna pare aur is se operation aur maintenance mein na-mutabiqat ya ghair mutanasib technical mushkilat paida hon;

(iv) asal khareedari ke contract ki muddat khatam hone ke baad, usi qeemat, sharaait aur conditions par, asal contract ki raqam ke pandrah feesad se zyada na honay wale repeat orders;

(v) jab ashya, khidmat ya kaam ki qeemat government ya kisi aur Authority, agency ya idaray ki taraf se muqarrar ki gayi ho jo government ki taraf se is ke liye baqaida ikhtiyar rakhta ho; ya

(vi) maqami original manufacturers ya un ke authorized agents se manufacturer ki qeemat par motor vehicle ki khareedari ke liye:

> Proviso: bashart-e-ke, agar matlooba motor vehicle kisi maqami original manufacturer ki taraf se tayyar na ki jati ho, to motor vehicle ya us ke parts kisi ghair mulki original manufacturer ya us ke authorized agent se manufacturer ki qeemat par khareede ja sakte hain.

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(d) Negotiated tendering (Muzakarati tendering).—Aik procuring agency EPADS ke zariye aik ya zyada bidders ke sath, khareedari ke notice ki pehle se ishaat ke sath ya baghair, negotiated tendering kar sakti hai. Yeh tareeqa sirf tab istemal kiya jaye ga jab,—

(i) mutalliq supplies khalis taur par kisi makhsoos tehqeeq ya tajrubay, mutalay ya kisi makhsoos taraqqi ki himayat ke maqsad ke liye tayyar ki gayi hon;

(ii) fani (artistic) wajohat ki bina par, ya khaas haqooq ya zehni malkiyat ke tahaffuz se mutalliq wajohat ki bina par, supplies sirf aik makhsoos supplier hi bana ya de sakta ho; ya

(iii) shadeed hungami surat-e-haal (extreme urgency) ki wajohat ki bina par jo procuring agency ke liye na-qabil-e-peshgoi waqiyat ki wajah se paida hui hon, open aur limited bidding ke tareeqon ke liye muqarrar waqt ki hadain poori na ki ja saken. Shadeed hungami surat-e-haal ko jawaz banane ke liye pesh kiye gaye halaat procuring agency ki wajah se nahi hone chahiye:

> Proviso: bashart-e-ke koi bhi procuring agency jo negotiated tendering ko khareedari ke tareeqay ke tor par istemal karna chahe, woh negotiated tendering par amal karne ki apni wajohat aur jawaz tehreer mein darj kare gi aur use record par rakhe gi.

(e) Force Account.—Aik procuring agency, EPADS ke zariye force account istemal kar sakti hai, agar khareedari ki qeemat bees crore Pakistan rupees se zyada na ho, darj zail sharaait ke taabe, yani:—

(i) matlooba kaam chhote, bikhre hue ya door daraaz ilaqon mein hon jin ke liye maqool qeematon par boli dene ke liye ahel tameerati firms dastiyab na hon; ya

(ii) project hassas noiyat ka ho aur us ki maloomat private sector ke sath share na ki ja sakti hon:

> Proviso: bashart-e-ke procuring agency ya khareedari ke liye masroof koi aur government agency kaam ko khalis taur par apne wasail ke zariye mukammal kare gi, private sector ko partner ke tor par ya joint venture ki shakal mein ya sub-contractor ke tor par shamil kiye baghair. Procuring agency contract ke tehet har adayegi ki karwai ke waqt is bare mein aik certificate jari kare gi.

(f) Direct Contracting with State Owned Entities (Sarkari malkiyat wale idaron ke sath direct contracting).—Aik procuring agency EPADS ke zariye sarkari malkiyat wale idaron jaise professional, autonomous ya semi-autonomous organizations ya Federal ya Provincial Governments ke idaron ke sath aise kaam aur khidmat, jin mein consultancy services shamil hain, jo waqt ke lehaaz se hassas hon, bikhre hue hon, door daraaz ilaqon mein hon aur awami mafaad mein hon, ki khareedari ke liye direct contracting kar sakti hai, darj zail sharaait ke taabe, yani:—

(i) woh organization ya idara jis se direct contracting ki jani ho, kaam anjaam dene ya khidmat faraham karne ka ahel hoga;

(ii) woh organization ya idara kaam ya khidmat, jin mein consultancy services shamil hain, khalis taur par apne wasail ke zariye mukammal kare ga, private sector ko partner ke tor par ya joint venture ki shakal mein ya sub-contractor ke tor par shamil kiye baghair:

> Proviso: bashart-e-ke jahan makhsoos project ke ajza (specialized project components) ko outsource karna zaroori ho, State-Owned Entity mutalliq kaam sub-contractor(s) ko de sakti hai, jo kisi bhi surat mein us idaray ko diye gaye kul kaam ki miqdaar ke 40% se zyada nahi hoga.

(iii) agar kaam anjaam dene ya khidmat faraham karne ke ahel aik se zyada organizations ya idaray hon, to procuring agency un ke darmiyan limited tendering (notifications) ke zariye, baghair kisi ishtehar ke, muqabla karaye gi, taham un ki darkhwastain ya tajaweez jama karane ke liye maqool waqt de gi;

(iv) procuring agency qeemat ki munasibat (price reasonability) tay karne ka aik tareeqa-e-kar waza kare gi taake yeh yaqeeni banaya ja sake ke sarkari malkiyat wale idaron ki taraf se pesh ki gayi qeematain contract dene ke liye maqool hain:

> Proviso: bashart-e-ke, agar idara is rule ke tehet jaiz had se zyada subcontracting kare, to woh rule 67 ke sub-rule (4) mein di gayi material deviation ke dairay mein aaye ga.

> Proviso: Mazeed bashart-e-ke Procuring Agency ka Head EPADS par aik undertaking jama karaye ga ke is rule mein muqarrar sharaait tasalli bakhsh tor par poori ki ja rahi hain.

(2) Is rule mein shumar ki gayi tamam mali hadain (financial thresholds) Authority ki taraf se waqtan fawaqtan tabdeel ki ja sakti hain.

Rule 33 — Procurement of second-hand goods through E-Pak Acquisition and Disposal System

E-Pak Acquisition and Disposal System ke zariye second-hand ashya ki khareedari

(1) Procuring agency second-hand ashya khareed sakti hai, agar aisa karna us ke maqasid hasil karne ka aik maashi aur moassar tareeqa ho. Darj zail woh zarooriyat hain jo laagu hongi, yani:—

(a) khatray se bachao ke woh iqdamat jo zaroori hon, standard bidding documents mein zahir kiye jayen ge;

(b) second-hand ashya ki khareedari ko nayi ashya ki khareedari ke sath mila kar nahi kiya jaye ga; aur

(c) specifications ya technical requirements mein second-hand ashya ki kam se kam khasoosiyat bayan ki jayen gi, jin mein umar aur halat shamil hain.

(2) Procuring agency istemal shuda cheez khareedne ke faislay mein darj zail me'yar par ghor kare gi, yani:—

(a) nayi cheez ke muqablay mein istemal shuda cheez ki quality, qism, istemal aur umar ki tawaqqo (life expectancy);

(b) nayi cheez ke muqablay mein istemal shuda cheez ki takhmeena khareed qeemat, aur istemal shuda cheez ke muqablay mein istemal shuda cheez ki qeemat;

(c) nayi cheez ke muqablay mein istemal shuda cheez se paida honay wale khatrat, jin mein pehle istemal se mumkinah aaloodgi, cheez mein tabdeeli jo hifazati khatrat ya is tarah ke deegar khatrat paida kar sakti ho, shamil hain;

(d) istemal shuda cheez ki nisbi qeemat aur aam halat;

(e) istemal shuda cheez ke muqablay mein nayi cheez ke liye di gayi warranty;

(f) istemal shuda cheez ke muqablay mein nayi cheez ki service, maintenance plans aur parts ki dastiyabi;

(g) adayegi ki sharaait;

(h) ke woh kam se kam been-ul-aqwami hifazati mayaar par poori utarti ho, jahan laagu ho; aur

(i) freight aur insurance charges par ghor, jahan laagu ho.

(3) Is rule ke itlaq ke maqsad ke liye, Principal Accounting Officer ya procuring agency ka head EPADS par Authority ke mahireen ke pool se, procuring agency se bahar ke, taaq adad (odd number) mahireen par mushtamil aik Technical Committee tashkeel de kar third-party validation ko yaqeeni banaye ga, taake second-hand khareedari ki qabil-e-amal honay ka tayun kiya ja sake.

(4) Inspection committee, contract manager ya supervisor engineer, jaisa ke muamla ho, is rule ke tehet khareedi ja rahi product ki pre-shipment, onsite inspection ya verification aur post-delivery inspection ya verification ko yaqeeni banaye ga.

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Rule 34 — Bidding documents

Boli ki Dastavezat

(1) Procuring agencies Authority ki taraf se regulations ke zariye notify ki gayi standard bidding documents istemal karen gi:

(2) Agar khareedari ki kisi makhsoos category ke liye standard bidding documents Authority ki taraf se regulations ke zariye notify na ki gayi hon, to procuring agency durust aur wazeh bidding documents tayyar kar sakti hai, jo in rules se mutasadim na hon.

(3) Bidding documents EPADS ke zariye procurement notice ki ishaat ke foran baad shaya ki jayen gi.

(4) Bidding documents mein darj zail shamil hoga, yani:—

(a) procurement notice;

(b) instructions to bidders (bidders ke liye hidayat);

(c) bid data sheet;

(d) technical specification, jahan laagu ho;

(e) delivery time ya completion schedule;

(f) qualification criteria, jahan laagu ho;

(g) bid evaluation criteria;

(h) matlooba tamam securities ka format, jahan laagu ho;

(i) standards ki tafseel, agar koi ho, jo makhsoos ashya, kaam ya khidmat ki quality ko janchnay mein istemal kiye jayen ge;

(j) form of bid;

(k) form of contract;

(l) general aur special conditions of contract;

(m) specifications aur drawings ya performance criteria, jahan laagu ho;

(n) list of goods ya bill of quantities, jahan laagu ho; aur

(o) koi bhi aur tafseel jo in rules se mutasadim na ho aur procuring agency zaroori samjhe.

(5) Framework agreements ki surat mein, standard bidding documents mein yeh bayan kiya jaye ga—

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(a) ke khareedari se framework agreement tay paye ga;

(b) agar framework agreement aik ya aik se zyada bidder ke sath tay paye, to un bidders ki tadad par koi kam se kam ya zyada se zyada had jo us ke fareeq hon ge; aur

(c) framework agreement ka form, sharaait aur conditions.

(6) Pre-qualification aur expression of interest ke amal ki surat mein, documents mein darj zail bayan kiya jaye ga, yani:—

(a) invitation to applicant;

(b) instructions to applicants;

(c) application data sheet;

(d) scope of procurement;

(e) qualification criteria, tajurba aur zarooriyat; aur

(f) form of application.

(7) Koi bhi maloomat jo boli dene ya boli ki jaanch ke liye zaroori ho jaye, invitation to bid ke baad, EPADS par barwaqt aur barabar mauqa ki bunyad par faraham ki jaye gi. Jahan aisi tabdeeli, izafa, tarmim ya hazf ki ittila dena zaroori ho jaye, aisi ittila EPADS par usi tareeqay se di jaye gi jis tareeqay se asal ishaat ki gayi thi.

Rule 35 — Reservations and preference

Mehfooz Rakhnay aur Tarjeeh

(1) Procuring agencies tamam matwaqqo aur ahel bidders ko khareedari ki karwai mein hissa lene ki ijazat den gi, siwaye un suraton ke jahan aik procuring agency Federal Government ki policy ke mutabiq aisi shirkat ko sirf qaumi bidders ya qaumi bidders ki kuch categories tak mehdood karne ya kuch qaumiyaton ke bidders ki shirkat par pabandi lagane ka faisla kare.

(2) Procuring agency boliyon ki jaanch aur muqabla kare gi, been-ul-aqwami bidders ke sath muqablay mein mulki bidders ko tarjeeh degi, Federal Government ki policies ke mutabiq,—

(a) works projects ke liye; aur

(b) Islami Jamhooria Pakistan mein tayyar, kaan se nikali gayi, hasil ki gayi aur ugayi gayi kuch ashya ke liye.

(3) Tarjeeh ka feesad, jo diya jana ho, bid evaluation criteria ke tehet bidding documents mein wazeh tor par likha jaye ga.

Rule 36 — Bid security

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Boli ki Zamanat

Procuring agency bidder se bid security ki raqam talab kar sakti hai jo khareedari ki takhmeena qeemat, jo procuring agency ne tay ki ho, ke do sau pachaas million Pakistani rupees tak ki khareedariyon ki surat mein paanch feesad se zyada na ho aur do sau pachaas million Pakistani rupees se zyada ki khareedariyon ki surat mein do feesad se zyada na ho:

> Proviso: bashart-e-ke jahan procuring agency bid security talab na kare, bidder Authority ki taraf se standard bidding documents mein muqarrar format par bid security declaration jama karaye ga.

Rule 37 — Bid Validity

Boli ki Mi'ad

(1) Procuring agency, khareedari ki noiyat ko mad-e-nazar rakhte hue, boli ko bid validity period ke taabe kare gi.

(2) Boliyan bidding document mein muqarrar waqt ki muddat ke liye qabil-e-amal (valid) hongi.

(3) Procuring agency aam tor par is baat ki paband hogi ke woh muqarrar bid validity period ke andar boli par karwai aur us ki jaanch kare aur letter of award jari kare. Taham, ghair mamooli halaat mein aur tehreer mein darj ki gayi wajohat ki bina par, agar tausee zaroori samjhi jaye, to un tamam logon se kaha jaye ga jinhon ne apni boliyan jama karayi hain ke woh EPADS ke zariye apni apni bid validity period mein tausee karen. Aisi tausee aik se zyada dafa ho sakti hai lekin aisi tausee ki kul muddat asal bid validity period se zyada nahi hogi.

(4) Woh bidders jo—

(a) apni bid validity period mein tausee par raazi hon, woh bid validity ki tausee shuda muddat ke liye bid security ki mi'ad mein bhi tausee karen ge;

(b) procuring agency ki bid validity period mein tausee ki darkhwast par raazi hon, unhen apni boliyon ki asal cheez (substance) tabdeel karne ki ijazat nahi hogi; aur

(c) bid validity period mein tausee par raazi na hon, unhen apni bid security zabt kiye baghair apni boliyan wapas lene ki ijazat hogi.

Rule 38 — Clarifications

Wazahatein

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(1) Bidding documents ki wazahatein kisi bhi bidder ki taraf se EPADS ke zariye boliyan jama karane ki aakhri tareekh se teen din pehle tak talab ki ja sakti hain.

(2) Procuring agency bidding documents ki wazahat ke liye bidder ki kisi bhi darkhwast ka foran EPADS ke zariye jawab degi aur do din ke andar jawab degi.

(3) Wazahat ki darkhwaston ke jawab khareedari ki karwai mein hissa lene wale tamam bidders ko tehreer mein EPADS ke zariye pahunchaaye jayen ge.

(4) Kisi bidder ko apni boli kholne ke baad us mein tabdeeli ya tarmim karne ki ijazat nahi hogi, taham, procuring agency EPADS ke zariye koi bhi wazahat talab kar sakti hai jo boli ki asal cheez (substance) ko tabdeel na kare.

Rule 39 — Extension of time for submission of bids

Boliyan Jama Karane ke Waqt mein Tausee

Procuring agency khaas halaat mein, tehreer mein wajohat darj karne ke baad aur barabar mauqa ke tareeqay se, boliyan jama karane ke waqt mein tausee kar sakti hai. Waqt mein aisi tausee ki ishaat EPADS ke zariye usi tareeqay se ki jaye gi jis tareeqay se asal ishaat ki gayi thi.

Rule 40 — Submission and opening of bids

Boliyon ki Jama-Kari aur Kholna

(1) Boliyan jama karane ki aakhri tareekh aur boliyan kholne ki tareekh aik hi hogi.

(2) Boliyan bidding documents mein muqarrar waqt par kholi jayen gi aur boliyan jama karane ki aakhri had (deadline) ke kam se kam tees minute baad kholi jayen gi.

(3) Mosool honay wali tamam boliyan EPADS ke zariye kholi jayen gi.

(4) Bid Evaluation Committee E-PADS ke zariye meeting ki minutes tayyar kare gi jin mein bid opening process ki mukhtasar tafseel hogi.

(5) Procuring agency boliyan kholne ko qaumi media par ya apni website ya digital channels par live broadcast kare gi, agar khareedari ka hajam ashya aur khidmat ki surat mein paanch sau million Pakistani rupees se zyada ho aur kaam (works) ki surat mein aik hazaar million Pakistani rupees se zyada ho:

> Proviso: bashart-e-ke agar boli kholne ki tareekh ko aam chhutti (public holiday) qaraar de diya gaya ho ya procuring agency EPADS se mutalliq kisi maslay ki wajah se boli kholne mein nakam ho, to boliyan jama karane aur kholne ka kaam aglay working day par usi waqt par muntaqil kar diya jaye ga.

Rule 41 — Evaluation criteria

Evaluation criteria — Janch ka Meyar

Procuring agency aik munasib aur ghair-mubham (unambiguous) evaluation criteria tayyar karegi, jis mein woh tamam mutalliq maloomat darj hon, jinki bunyaad par bid ka jaiza (evaluate) liya jana hai; aisa evaluation criteria bidding documents ka lazmi hissa hoga. Bidding documents mein munasib aur ghair-mubham evaluation criteria faraham karne mein nakami mis-procurement ke barabar hogi.

Rule 42 — Evaluation of bids

Evaluation of bids — Bids ka Jaiza

(1) Tamam bids ka jaiza unhi evaluation criteria aur digar sharaait-o-zawabit ke mutabiq kiya jayega jo bidding documents mein darj hain. In rules mein jo kuch aur faraham kiya gaya ho us ke siwa, bids ke jaize ke liye koi aisa evaluation criteria istemal nahi kiya jayega jo bidding documents mein wazeh taur par darj na kiya gaya ho.

(2) Mukhtalif currencies mein di gayi bids ke muqable ke liye, qeemat ko us aik currency mein tabdeel kiya jayega jo bidding documents mein wazeh ki gayi ho. Exchange ki sharah woh farokht ki sharah (selling rate) hogi jo bidding documents mein wazeh ki gayi financial bids kholne ki tareekh ko raij ho, State Bank of Pakistan ki taraf se us din jari ki gayi weighted average customer exchange rates ki fehrist ke mutabiq.

(3) Aik bid, jo aik dafa muqarrar tareeqa-e-kar ke mutabiq khol di gayi ho, sirf unhi rules, regulations aur policies ke taabe hogi jo procurement notice jari karne ke waqt nafiz (in force) thi.

(4) Bids ke barabar hone (tie) ki surat mein, bidders ko EPADS ke zariye apni behtareen aur aakhri maali peshkash (best and final monetary offer) dene ka mauqa diya jayega. Taham, kisi bhi surat mein sharhein (rates) asal financial bids se zyada nahi hongi.

Rule 43 — Abnormally low bids

Abnormally low bids — Ghair-mamooli Taur par Kam Bids

(1) Sub-rule (2) ke taabe, procuring agency ashya (goods), kaam (works) aur khidmaat (services) ki khareedari mein kisi bid ko radd kar sakti hai agar us ne ye tay kar liya ho ke qeemat, bid ke digar ajza ke sath mil kar, khareedari ke mauzu ke muqable mein ghair-mamooli taur par kam hai, is had tak ke procuring agency ke liye bidder ki is salahiyat ke bare mein numayan khadshaat paida ho jayein ke woh pesh ki gayi qeemat par procurement contract ko tasalli-bakhsh taur par pura kar sakega.

(2) Procuring agency sub-rule (1) ke tehat kisi bid ko ghair-mamooli taur par kam (abnormally low) qarar de kar radd nahi karegi, jab tak ke procuring agency ne —

(a) EPADS ke zariye bidder se bid ki tehreeri wazahat (written clarification) talab na ki ho, jis mein procurement contract ke mauzu, daira-e-kar (scope), tareeqa-e-kar (methodology), schedule, khatraat aur zimmedariyon ki taqseem (allocation of risks and responsibilities) aur bidding documents ki kisi bhi digar shart ke hawale se apni bid qeemat ka tafseeli qeemat tajziya (detailed price analysis) shamil ho; aur

(b) Clause (a) ke tehat talab par bidder ki taraf se faraham ki gayi maloomat aur bid mein shamil maloomat ko mad-e-nazar rakhte hue, procuring agency ne ye tay na kiya ho ke bidder pesh ki gayi qeemat ke muqable mein procurement contract ko tasalli-bakhsh taur par pura karne ki apni salahiyat zahir karne mein nakam raha hai.

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(3) Procuring agency mutalliq bidder ko bid radd karne ke apne faisle se, faisle ki wajuhat samait, foran aagah karegi. Procuring agency aise faisle se aagah karne ke baad bidding ka amal dobara shuru kar sakti hai.

(4) Har ghair-mamooli taur par kam bid (abnormally low bid) ki tahqeeq ki jayegi, taake bid jama karane ki wajah maloom ki ja sake, bashmool ye ke kya bid is liye jama karai gayi thi ke digar bidders ko muqable se bahar nikala ja sake.

(5) Agar tahqeeq ke baad ye sabit ho jaye ke bidder ne ghair-mamooli taur par kam bid is liye jama karai thi ke digar bidders ko muqable se bahar nikala ja sake ya bidding ke amal ko nakam banaya ja sake, to procuring agency Rule 25(1)(d) ke mutabiq bidder ko blacklist kar sakti hai.

Rule 44 — Discriminatory and difficult conditions

Discriminatory and difficult conditions — Imtiyazi aur Mushkil Sharaait

Jahan tak koi aur baat faraham na ki gayi ho, koi procuring agency koi aisi shart aaid nahi karegi jo bidders ke darmiyan imtiyaz (discriminate) kare ya jise poora karna ghair-zaroori mushkil samjha jaye. Kisi bhi shart ki imtiyazi ya mushkil noiyat ka taayun karte waqt us tijarat (trade) ke aam mamool ka hawala diya jayega jis se woh khaas khareedari mutalliq ho.

Rule 45 — Rejection of bids

Rejection of bids — Bids ko Radd Karna

(1) Procuring agency letter of award jari karne se pehle kisi bhi waqt, tamam bids ya proposals ko darj zail wajuhat ki bunyaad par radd kar sakti hai, yani:—

(a) jama karai gayi bids, proposals ya quotations bunyadi taur par ghair-jawab-deh (substantially non-responsive) hain; ya

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(b) muqable ki kami ka saboot maujood hai; ya

(c) jahan bid munsifana muqable ko numayan taur par mutasir kare ya procuring agency ke mufadat ke khilaf ho.

(2) Tamam bids ya proposals ke radd hone ka notice foran tamam bidders ko EPADS ke zariye diya jayega.

(3) Procuring agency, darkhwast par, kisi bhi aise bidder ko, jis ne bid ya proposal jama karai ho, tamam bids ya proposals ke radd karne ki wajuhat se aagah karegi, lekin un wajuhat ko sabit (justify) karne ki paband nahi hogi.

(4) Procuring agency, sirf sub-rule (1) ko istemal karne ki wajah se, un bidders ke samne kisi zimmedari ki paband nahi hogi jinhon ne bids ya proposals jama karai hon.

Rule 46 — Cancellation of procurement

Cancellation of procurement — Khareedari ko Mansookh Karna

(1) Procurement proceedings ko mansookh (cancel) karne ki ijazat nahi hai, jab tak ke tehreeri taayun (written finding) maujood na ho ke —

(a) khareedari ki zaroorat khatam ho gayi hai ya numayan taur par tabdeel ho gayi hai;

(b) khareedari ke liye kaafi funding dastiyab nahi hai;

(c) matlooba technical tafseelaat, bidding ki sharaait, contract ki sharaait ya digar tafseelaat mein numayan tabdeeli aa gayi hai, is had tak ke procurement proceedings dobara shuru karna zaroori ho gaya hai; ya

(d) ye basurat-e-digar awami mafaad (public interest) mein hai.

(2) Procuring agency, sirf is rule ko istemal karne ki wajah se, bidders ke samne kisi zimmedari ki paband nahi hogi.

Rule 47 — Re-bidding

Re-bidding — Dobara Bidding

(1) Agar procuring agency ne rule 45 ke tehat tamam bids radd kar di hon to woh dobara bidding (re-bidding) ka mutalba kar sakti hai.

(2) Procuring agency, dobara bidding (re-bidding) ke liye procurement notice se pehle, tamam bids ke radd hone ki wajuhat ka jaiza legi aur specifications, evaluation criteria ya bidders ke liye kisi bhi digar shart mein tabdeeli kar sakti hai, jaisa ke woh zaroori samjhe.

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Rule 48 — Announcement and publication of evaluation result

Announcement and publication of evaluation result — Jaize ke Nateeje ka Ilan aur Isha'at

Khareedari ke liye ikhtiyar kiye gaye tareeqa-e-kar ke taabe, procuring agency pre-qualification ka natija, jahan qaabil-e-itlaq ho, aur aakhri bid evaluation ka natija, Authority ki taraf se wazeh ki gayi format par, bids ke qabool ya radd karne ki mukhtasar wajah samait, evaluation criteria ke tamam pehluon ke khilaf, procurement contract ke award se pehle, EPADS par aur Authority aur procuring agency ki website par, agar koi ho, ilan aur shaya karegi:

> Proviso: Basharte ke jahan technical proposal ko financial proposal kholne se pehle alag se evaluate kiya jana ho, wahan Authority ki taraf se wazeh ki gayi format par technical evaluation

report, jis mein wajuhat ka mukhtasar khulasa ho, financial proposal kholne se pehle EPADS par aur Authority aur procuring agency ki website par, agar koi ho, ilan aur shaya ki jayegi.

Acceptance of Bids and Award of Procurement Contracts — Bids ki Qabooliyat aur Procurement Contracts ka Award

Rule 49 — Acceptance of bids

Acceptance of bids — Bids ki Qabooliyat

Kamyab bidder ko procurement contract diya jayega, rule 65 ke sub-rule (3) ke tehat di gayi muddat ya rule 65 ke sub-rule (6) mein zikr ki gayi muddat guzarne ke baad, ya aisi izafi muddat ke baad jis ke doran contract par dastakhat karna Authority ki Appellate Committee ki taraf se muattal (suspended) kar diya gaya ho.

Rule 50 — Single responsive bid in goods, works and services

Single responsive bid in goods, works and services — Ashya, Kaam aur Khidmaat mein Wahid Jawab-deh Bid

(1) Procuring agency ashya (goods), kaam (works) aur khidmaat (services) mein aik hi bid (single bid) par ghaur kar sakti hai agar woh —

(a) evaluation criteria par poora utre, specifications aur procurement notice mein bayan ki gayi digar sharaait-o-zawabit ki pabandi ko yaqeeni banaye; aur

(b) rate ki munasibat (rate reasonability) ke lehaz se maali mutabiqat (financial conformance) rakhti ho.

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(2) Procuring agency faisle poori dehan-dari (due diligence) se aur rule 4 mein bayan kiye gaye aam usoolon ke mutabiq karegi.

(3) Jahan ashya (goods), kaam (works) aur khidmaat (services) ke silsile mein aik hi bid mosul hui ho ya technically jawab-deh (responsive) payi gayi ho, wahan procuring agency market survey kar sakti hai taake ye maloom kiya ja sake ke bid munasib hai aur market ki halaat ke mutabiq hai.

Rule 51 — Performance guarantee

Performance guarantee — Karkardagi ki Zamanat

Jahan bidding documents mein wazeh taur par faraham kiya gaya ho, wahan procuring agency kamyab bidder se performance guarantee faraham karne ka mutalba karegi, jo contract ki raqam ke das feesad (ten percent) se zyada nahi hogi.

Rule 52 — Letter of credit

Letter of credit — Letter of Credit (LC)

Jahan zaroorat ho, procuring agency letter of credit (LC) aur International Chamber of Commerce ki taraf se jari kardah INCOTERMS ki shart ko aise amal mein shamil kar sakti hai jin mein shipments aur custom clearance shamil hon.

Rule 52A — Limitation on negotiations

Limitation on negotiations — Guft-o-Shaneed ki Had

(1) Kaam ya khidmaat ki lagat aur daira-e-kar (cost and scope) ko tabdeel kiye baghair, procuring agency kamyab bidder se (kaam ya task ki anjaam-dahi ko hamwar karne ke nazariye se, contract ko hatmi shakal dene ke waqt) tareeqa-e-kar (methodology), work plan, amle (staffing) aur contract ki khaas sharaait (special conditions) par guft-o-shaneed (negotiate) kar sakti hai.

(2) Sub-rule (1) ke bawajood, kamyab bidder ki taraf se bid ki qeemat mein razakarana kami (voluntary reduction) par koi pabandi nahi hogi, basharte ke is se khareedari ki mayaar ya daira-e-kar mutasir na ho.

(3) Authority, regulations ke zariye, sub-rule (1) ke tehat khareedari par guft-o-shaneed (negotiations) ki had aur aqsaam ka taayun kar sakti hai.

Rule 53 — Confidentiality

Confidentiality — Razdari

Procuring agency bid evaluation se mutalliq tamam maloomat ko in rules ki sharaait ke mutabiq evaluation report ke ilan aur isha'at ke waqt tak khufiya (confidential) rakhegi.

Rule 54 — On account payments

On account payments — Hisab par Adayegiyan

Tamam procuring agencies, jahan qaabil-e-itlaq ho, suppliers aur contractors ko un ke invoices ya running bills ke khilaf foran adayegi karein gi, contract ki sharaait mein di gayi muddat ke andar, jo tees din (thirty days) se zyada nahi hogi.

Rule 55 — Entry into force of the procurement contract

Entry into force of the procurement contract — Procurement Contract ka Nafiz Hona

Aik procurement contract nafiz (in force) hoga, —

(a) jahan contract par rasmi dastakhat ki zaroorat na ho, us tareekh se jab letter of award ya purchase order us bidder ko diya gaya ho jis ki bid qabool ki gayi ho. Aisa letter of award ya purchase order munasib waqt ke andar jari kiya jayega; ya

(b) jahan procuring agency tehreeri contract par dastakhat ka mutalba kare, us tareekh se jab procuring agency aur kamyab bidder dono ke dastakhat tehreeri contract par lagaye jayein. Dastakhat lagane ka ye amal munasib waqt ke andar hoga:

> Proviso: Basharte ke jahan kisi contract ka nafiz hona kisi khaas shart ya sharaait ki takmeel par munhasir ho, wahan contract us tareekh se nafiz hoga jis din aisi takmeel bidding documents mein zikr ki gayi muddat ke andar ho jaye.

Maintenance of Record and Freedom of Information — Record ki Hifazat aur Maloomat ki Azadi

Rule 56 — Record of procurement proceedings

Record of procurement proceedings — Khareedari ki Karwai ka Record

(1) Tamam procuring agencies apni-apni procurement proceedings ka record, tamam mutalliq dastavezat samait, kam se kam paanch saal ki muddat ke liye mehfooz rakhein gi.

(2) Record ki aisi hifazat is silsile mein waqtan-fawaqtan banaye gaye regulations ke taabe hogi.

Rule 57 — Public access and transparency

Public access and transparency — Awami Rasai aur Shafafiyat

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Jese hi kisi contract ka award ho jaye, procuring agency bid ki evaluation aur contract ke award se mutalliq tamam dastavezat ko EPADS par awam ke liye shaya karegi:

> Proviso: Basharte ke jahan contract ke award se mutalliq kisi maloomat ka inkishaf malkiyati noiyat (proprietary nature) ka ho ya jahan procuring agency ko yaqeen ho ke aisa inkishaf awami mafaad (public interest) ke khilaf hoga, wahan woh sirf aisi maloomat ko awami inkishaf se rok sakti hai, Authority ki peshgi manzori (prior approval) ke taabe.

Rule 58 — Appointment of Contract Manager

Appointment of Contract Manager — Contract Manager ki Taqarruri

(1) Procuring agency har khareedari ya khareedari ki har qism (class) ke liye aik contract manager muqarrar karegi.

(2) Contract Manager contract ko contract ki sharaait-o-zawabit aur rules aur regulations ke tehat muqarrar kiye gaye tareeqa-e-kar ke mutabiq chalayega.

(3) Sub-rule (2) ki umoomiyat par koi asar dale baghair, Contract Manager —

(a) contractor ke sath tamam muamlaat ka durust record rakhega, bashmool contractor ke sath har mulaqat ki minutes aur kisi bhi muamle ki tafseelat jin par guftugu ki gayi ho ya faisla kiya gaya ho;

(b) har procurement contract ke tehat procuring agency ke mufadat ki numaindagi karega; aur

(c) contract management ke liye EPADS istemal karega, EPADS par dastiyab functionality ki had tak.

(4) Contract Manager kisi bhi kaam (performance) ko shuru hone ki ijazat nahi dega jab tak ke procurement contract par dastakhat na ho jayein ya kaam ya supply shuru karne ka notice jari na kar diya gaya ho.

(5) Contract Manager contract ki kisi bhi numayan khilaf-warzi (substantial breach) ki report Principal Accounting Officer ya procuring agency ke sarbarah (head) ya un ki taraf se ikhtiyar diye gaye officer ko dega.

Rule 59 — Duties of the Contract Manager

Duties of the Contract Manager — Contract Manager ke Faraiz

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(1) Contract Manager:—

(a) contract mein wazeh ki gayi procuring agency ki zimmedariyon aur faraiz ko chalayega; aur

(b) ye yaqeeni banayega ke contractor contract ko contract ki sharaait-o-zawabit ke mutabiq pura kare.

(2) Contract Manager is ka zimmedar hoga —

(a) contractor ki karkardagi ki nigrani karna, taake ye yaqeeni banaya ja sake ke delivery ya karkardagi ki tamam zimmedariyan poori ki gayi hain ya, zimmedariyan poori na hone ki surat mein, procuring agency ki taraf se munasib karwai ki jaye;

(b) works contracts ki surat mein, clause (a) ke maqasid ke liye, kisi bhi aazad supervisor ya engineer se rabta karna, FIDIC contracts ke matlab ke andar;

(c) ye yaqeeni banana ke contractor tamam matlooba dastavezat jama karaye;

(d) ye yaqeeni banana ke procuring agency apni tamam adayegi aur digar zimmedariyan waqt par aur contract ke mutabiq poori kare;

(e) ye yaqeeni banana ke, jahan zaroorat ho, lagat, mayaar aur waqt par munasib control maujood ho;

(f) contract ki dafaat ke mutabiq kisi bhi matlooba contract variation ya tabdeeli (modification) ko tayyar aur/ya process karna aur, jahan munasib ho, un ke jari karne se pehle, Financial Management and Powers of Principal Accounting Officer Regulations, 2021 ke regulation 13 ke tehat, waqtan-fawaqtan tarmeem shuda, Principal Accounting Officer ya procuring agency ke sarbarah (head) ya un ki taraf se ikhtiyar diye gaye officers ki manzori hasil karna;

(g) kisi bhi handover ya qabooliyat (acceptance) ke tareeqa-e-kar ko chalana;

(h) jahan munasib ho, contract khatam karne ki sifarish karna, aur tamam matlooba manzooriyan hasil karna aur khatam karne ke amal ko chalana;

(i) ye yaqeeni banana ke contract file band karne se pehle contract mukammal taur par pura kar liya gaya hai;

(j) ye yaqeeni banana ke contract management ke tamam records mehfooz rakhe jayein aur jaisa ke zaroori ho archive kiye jayein; aur

(k) ye yaqeeni banana ke contractor ya engineer aur procuring agency contract ke rules aur dafaat ke mutabiq amal karein.

Rule 60 — Contract performance evaluation

Contract performance evaluation — Contract ki Karkardagi ka Jaiza

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(1) Contract Manager har procurement contract ki evaluation, third-party ke zariye, karwayega, jis ki takhmina shuda qeemat (estimated value) paanch sau million rupees (five hundred million rupees) se zyada ho —

(a) qaleel-muddat (short-term) contracts ki surat mein, jese hi contract khatam ho jaye; aur

(b) taweel-muddat (long-term) contracts ki surat mein, un waqfon (intervals) par jo Principal Accounting Officer ya procuring agency ke sarbarah (head) ya Financial Management and Powers of Principal Accounting Officer Regulations, 2021 ke regulation 13 ke tehat ikhtiyar diye gaye officers se tay kiye gaye hon, aur Principal Accounting Officer ya procuring agency ke sarbarah (head) ya ikhtiyar diye gaye officers ko aik performance evaluation report jama karaye.

(2) Contract Manager ko contractor ki taraf se karkardagi na karne (non-performance) ke kisi bhi waqiye ko record karna hoga aur jald az jald Principal Accounting Officer ya procuring agency ke sarbarah (head) ko is ki report deni hogi.

(a) Contract Manager ko teen mah (three months) se zyada na hone wale waqfon par, Principal Accounting Officer ya procuring agency ke sarbarah (head) ko paanch sau million rupees (five hundred million rupees) se zyada qeemat wale un contracts ki karkardagi par tehreeri report bhi faraham karni hogi jin ke liye Contract Manager zimmedar hai, Authority ki taraf se faraham kiye gaye template(s) ke mutabiq; aur

(b) Principal Accounting Officer ya procuring agency ka sarbarah (head) aik policy bana sakta hai, jo performance evaluation report ki format aur us ki frequency ki rehnumai kare.

Rule 61 — Inspection of goods and evaluation of services

Samaan ki Jaanch aur Khidmat ki Jaiza

(1) Ek arab Pakistani rupees se zyada ki tamam aham khareedariyon ya sarhad paar (cross border) delivery wali khareedariyon ke liye, samaan ki shipment se pehle ki jaanch (pre-shipment inspection) aur khidmat ki jaanch kisi teesre fareeq (third-party) ki inspection committee ya firm ke zariye ki jayegi. Kharidari karne wala idara (procuring agency) Authority ke banaye hue prequalified pool se, kharidari karne wale idare se bahar ke, taaq (odd) tadaad ke arkaan par mushtamil ek inspection committee banayega ya is maqsad ke liye kisi inspection firm ko lagayega:

> Proviso: Basharte ke jahan koi third-party inspection firm dastyab na ho, kharidari karne wala idara taaq (odd) tadaad ke arkaan par mushtamil ek inspection committee banayega, jis ke arkaan ki aksariyat kharidari karne wale idare se bahar se hogi:

> Proviso: Is ke ilawa bhi shart ye hai ke Authority, jahan munasib samjhe, firmon ka ek pre-qualified pool bhi bana sakti hai.

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(2) Muahide (contract) mein ye likha hoga ke kharidari karne wale idare ko kisi bhi munasib waqt ya jagah par samaan ki jaanch karne ka haq hai, aur jaanch se mutaliq tamam taqaze kharidari karne wale idare ke kharch par wazeh taur par likhe honge, aur agar aisa likha na ho to ye tamam muahidon mein likha hua samjha jayega.

(3) Kharidari karne wala idara ye yaqeeni banayega ke tamam samaan, usay qabool karne se pehle, inspection committee ya firm se, jaisa ke muamla ho, baqaida taur par janch liya gaya hai.

(4) Jaanch aur tasdeeq (inspection and verification) se ye yaqeeni banaya jayega ke—

(a) sahi miqdaar (quantity) mili ya bheji gayi hai,

(b) samaan muahide mein tay shuda technical standards par pura utarta hai;

(c) samaan waqt par deliver kiya gaya hai, ya kisi bhi takheer (delay) ko note kar liya gaya hai,

(d) tamam matluba deliverables jama kar diye gaye hain; aur

(e) tamam matluba manuals ya documentation mil gayi hain.

(5) Inspection committee ya inspection firm, jaisa ke muamla ho, samaan ki jaanch karne ki zimmedar hogi aur muahide ke mutabiq, munasib taur par, interim ya completion certificates ya goods received notes jari karegi.

Rule 62 — Closing of contract

Muahide ki Takmeel

(1) Muahide ki sharaait (conditions of contract) mein tay shuda supplier ya contractor ki defect liability ya maintenance ke ilawa, muahide ki takmeel (performance) us waqt band (close) samjhi jayegi jab overall delivery certificate ya taking over certificate jari ho jaye, jo EPADS par samaan ki aakhri taking over ya deliverables milne ya kaam ki takmeel ke tees (30) din ke andar jari kiya jayega, taake supplier ya contractor final bill jama kar sake aur auditors bunyadi audit (substantial audit) kar sakein.

(2) Defect liability ya maintenance period ki soorat mein, defect liability certificate us muddat ke khatam hone ke tees (30) din ke andar EPADS par jari kiya jayega, taake supplier ya contractor final bill jama kar sake. Unsettled claims ke ilawa, jo arbitration ke zariye hal kiye jayenge, bill muahide ki sharaait mein diye gaye waqt ke andar ada kiya jayega, jo final audit ke liye muahida band karne ke liye saath (60) din se zyada nahi hoga.

SUSTAINABLE PROCUREMENT

Paidaar Khareedari (Sustainable Procurement)

Rule 63 — Socio-economic development

Samaji aur Maashi Taraqqi

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Chhote aur darmiyane darje ke karobaron (small and medium enterprises) aur pasmanda (marginalized) tabqon ki shamoliyat (inclusiveness) ko Federal Government ki notified policies ke mutabiq tarjeeh (preferences) de kar hosla afzai ki ja sakti hai.

Rule 64 — Environmental objectives

Maholiyati Maqasid

(1) Kharidari karne wala idara aisa samaan, khidmat aur kaam khareedne ki koshish kar sakta hai jin ka mahol par asar (environmental impact) un ki puri zindagi (life cycle) ke doran us samaan, khidmat aur kaam ke muqable mein kam ho jin ka bunyadi kaam (primary function) wohi ho aur jo warna khareede jate.

(2) Sub-rule (1) ke tehet khareedari karte waqt, kharidari karne wala idara kisi bhi Government policy ki pabandi karega jo mahol dost (environment friendly) masnooat ki khareed se mutaliq taqazon ko bayan karti ho aur policy mein tay shuda kisi bhi hadaf (targets) ki bhi pabandi karega.

REDRESSAL OF GRIEVANCES AND SETTLEMENT OF DISPUTES
Shikayat ka Azala aur Tanazaat ka Hal

Rule 65 — Redressal of grievances

Shikayat ka Azala

(1) Principal Accounting Officer ya kharidari karne wale idare ka sarbarah (head) ya koi bhi majaz afsar (authorized officer) taaq (odd) tadaad ke arkaan par mushtamil ek committee banayega jo mukammal taur par kharidari karne wale idare se bahar se hogi — kisi aur kharidari karne wale idare se ya Authority ke banaye hue mahireen ke pool se, jo EPADS ke zariye dastyab hoga — zaroori ikhtiyarat aur authorizations ke saath, taake wo bidders ya fareeqon ki shikayaton ko hal kare jo khareedari ke muahide ke naafiz hone se pehle paida hon.

(2) Koi bhi fareeq, proposal jama karne ki aakhri tareekh se do din pehle, bidding documents mein bayan shuda eligibility parameters, evaluation criteria ya kisi bhi aur shart (terms and conditions) ke khilaf tehreeri shikayat daakhil kar sakta hai, agar wo procurement regulatory framework ki dafaat ke khilaf payi jayein, aur usi shikayat ko GRC hal karegi.

(3) Bid jama karne ke baad kharidari karne wale idare ke kisi bhi amal se naraz (aggrieved) koi bhi bidder ya fareeq apni shikayat se mutaliq tehreeri shikayat technical evaluation report ke elaan ke saat (7) din ke andar aur final evaluation report ke jari hone ke paanch (5) din baad daakhil kar sakta hai.

(4) Is soorat mein ke shikayat technical ya final evaluation report ke khilaf daakhil ki gayi ho, GRC faisle tak khareedari ki karwai (procurement proceedings) ko muattal (suspend) kar sakti hai.

(5) Is soorat mein ke shikayat final evaluation report ke jari hone ke baad daakhil ki gayi ho, shikayat kunanda (complainant) report ki technical evaluation par koi aitraaz nahi utha sakta:

> Proviso: Basharte ke shikayat kunanda final evaluation report ke kisi bhi hisse par aitraaz utha sakta hai jahan single stage-single envelope bidding procedure apnaya gaya ho.

(6) GRC shikayat ki wasooli ke das (10) din ke andar us ki tehqeeq karegi aur us par faisla karegi.

(7) GRC ke faisle se mutmain na hone wala koi bhi bidder ya fareeq, ya agar GRC sub-rule (6) ke tehet das (10) din ke andar faisla karne mein nakam rahe, to Authority ki Appellate Committee ke samne appeal daakhil kar sakta hai, jo taaq (odd) tadaad ke arkaan par mushtamil hogi jin mein ek bahar ka member (external member) bhi shamil hoga, faisle ki ittila (communication) ke das (10) din ke andar, muqarrara fee jama karne ke mashroot aur Authority ke tay shuda tareeqa-e-kar (procedure)

ke mutabiq. Authority ki Appellate Committee appeal ki wasooli ke 45 din ke andar appeal par faisla karegi. Appellate Committee appeal ke zere-ghaur (pendency) ke doran muahida dene (award of contract) ke amal ko us muddat tak muattal kar sakti hai jo munasib samjhi jaye. Authority ki Appellate Committee ka faisla hatmi (final) samjha jayega.

Rule 66 — Alternate Dispute Resolution (ADR)

Muthbadil Tanazaat ka Hal (ADR)

(1) Kharidari ke muahidon ke naafiz hone ke baad, muahide ke fareeqon ke darmiyan tanazaat (disputes) ek ya zyada alternate dispute resolution tareeqon se hal kiye ja sakte hain, jin mein Arbitration bhi shamil hai. Jahan Arbitration ke ilawa koi aur Alternate Dispute Resolution tareeqa tanaze ka dostana hal (amicable settlement) na kara sake, wahan Arbitration ka sahara liya jayega.

(2) Kharidari karne wala idara muahide mein wazeh taur par arbitrator ki taqrari (appointment) ka tareeqa (mechanism) aur wo competent authority likhega jo arbitrator ko muqarrar karegi.

(3) Pakistan ke qawaneen (laws) arbitration par lagu honge, jab tak ke muahide mein khaas taur par kuch aur tay na kiya gaya ho.

Rule 67 — Material and non-material deviation

Madi aur Ghair Madi Inharaf

(1) Kharidari karne wala idara ya PPRA, jaisa ke muamla ho, shikayat milne par kisi muamle ko mis-procurement qarar de sakta hai, agar PPRA Ordinance, in rules ya in ke tehet banaye gaye regulations ki dafaat se koi material deviation (bunyadi inharaf) kiya gaya ho.

(2) Kharidari karne wala idara, grievance redressal committee ki sifarish par, ya PPRA, appellate committee ki sifarish par, kisi muamle ko mis-procurement qarar de sakta hai, agar PPRA Ordinance, in rules ya in ke tehet banaye gaye regulations ki dafaat se koi material deviation dekha gaya ho.

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(3) Mis-procurement qarar diye jane par, Authority ke Managing Director ya Principal Accounting Officer ya kharidari karne wale idare ka sarbarah, jaisa ke muamla ho, khareedari ke amal ko mansookh (annul) kar sakta hai ya tarmim shuda sharaait ke saath jari rakh sakta hai aur muamle ko disciplinary proceedings shuru karne ke liye ya mutaliqa tafteesh karne wali agencies (investigating agencies) ke paas zaroori criminal proceedings shuru karne ke liye bhejega.

(4) Material deviation mein, dosri cheezon ke saath (inter alia), ye shamil hoga—

(i) Public Procurement Rules mein bayan shuda collusive, coercive, corrupt, fraudulent aur obstructive practices;

(ii) EPADS ko istemal kiye baghair khareedari ke amal ko anjam dene ke liye janboojh kar inharaf (deliberate deviation);

(iii) Procurement Cell ke qaim kiye baghair, bid evaluation committees, Third Party Validation Committee, Third Party Evaluation Committee, Grievance Redressal Committee aur Selection Committee banaye baghair khareedari karna, jahan ye lagu hon;

(iv) Competition ko khatam karne ke liye tailor-made specifications, TORs aur schedule of requirements tayyar karna, taake kisi khaas bidder ko faida pohchaya jaye aur dosre bidders ko nuqsan pohchaya jaye;

(v) Advertisement ki isha'at (publication) se mutaliq taqazon ki khilaf warzi;

(vi) In Rules ke tehet mutaliqa khareedariyon ke liye muqarrara response time se bara inharaf;

(vii) Authority ke notified standard bidding documents aur request for proposal ko apnane mein nakami, jahan ye lagu hon;

(viii) Munasib aur wazeh (unambiguous) evaluation criteria banane mein nakami jo public procurement ke asoolon par bura asar daal sakti ho;

(ix) Bid ko pehle se tay shuda evaluation criteria ke mutabiq evaluate karne mein nakami;

(x) Bidding documents mein mushkil aur imtiazi (discriminatory) sharaait likhna;

(xi) Technical evaluation report (jahan lagu ho) aur final evaluation report ya pre-qualification report shaya karne mein nakami;

(xii) Kisi exception ko lagu karne ke liye muqarrara prerequisites ya sharaait ko pura karne mein nakami;

(xiii) Muahida dene (award of contract) se mutaliq documents shaya karne mein nakami;

(xiv) Samaan ki soorat mein inspection committee banane mein nakami;

(xv) Consultancy Services Regulations ke tehet darkar negotiation committee banane mein nakami; aur

(xvi) Koi bhi aur inharaf jo PPRA ne material deviation qarar diya ho.

(5) Rule 67 ke sub-rule (4) ke tehet na aane wala har inharaf non-material deviation samjha jayega.

(6) Non-material deviation ki soorat mein, muamla khareedari ke amal ke doran kiye gaye non-material deviation ki condonation ya regularization ke liye Authority ke Managing Director ya Principal Accounting Officer / kharidari karne wale idare ke sarbarah ke samne rakha ja sakta hai:

> Proviso: Basharte ke agar khareedari ka hajm (volume) 250 million Pakistani Rupees se zyada ho, to kharidari karne wala idara muamle ko Authority ya Authority ki banayi hui committee ke paas bhejega, jaisa ke muamla ho:

> Proviso: Is ke ilawa bhi shart ye hai ke mutaliqa competent authority non-material deviation ki condonation ya regularization ki wajuhat aur sharaait, agar koi hon, darj karegi.

Rule 68 — Transition

Muntaqili

In rules ke nafiz hone se pehle shuru ki gayi khareedari ki karwai (procurement proceedings) Public Procurement Rules, 2004 ke tehet ki jayegi.

Rule 69 — Repeal

Mansookhi

Public Procurement Rules, 2004 mansookh (repealed) samjhe jayenge.

Schedule I
Jadwal Awwal

S. No	Masnoo ka naam	Response time (ishtehar se) (Minimum)	Bid validity period (evaluation report ke jari hone ke baad) (Minimum)	Grievance period (evaluation report ke jari hone ke baad) (Minimum)	Grievance redressal period (shikayat daakhil karne ke baad) (Minimum)	Muahide par dastakhat karne se rokne ki zyada se zyada muddat (evaluation report ke jari hone ke baad) (Minimum)
1	Zarai masnooat, yaani fertilizer, anaaj (grains) aur cheeni	7 din	3 din	1 din	1 din	1 din

2	Petroleum masnooat (a) Motor gasoline (MOGAS) (b) Motor gasoline 95 RON aur HOBC RON 97 (c) High Speed Diesel/Gasoil (HSD) (d) Jet fuel/ Aviation fuel (e) Furnace oil (High Sulfur aur low Sulfur furnace oil) (f) Base oil (tamam groups) (g) Additives chemicals aur allied petrochemical products (h) High Density Polyethylene (HDPE) (Blow grade/Injection grade) (i) Koi bhi aur petroleum product jo Petroleum Division ki taraf se bataya gaya ho	3 din	3 din	1 din	1 din	1 din
3	Koyla (sub-bituminous)	3 din	3 din	1 din	1 din	1 din
4	LNG aur LPG	24 ghante	8 ghante	3 ghante	4 ghante	3 ghante

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HUMA IQBAL,
Section Officer (RA-III).

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— Ikhtitam —

Ye PPRA Rules 2026 ka mukammal lafz-ba-lafz Roman Urdu tarjuma hai. Qanooni faisle ke liye official English Gazette text ko tarjeeh dein.

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