

Dated Quetta, the 18th August, 2022



NOTIFICATION

No. FD. US (Procurement)1-31/BPPRA/2020-21/ 642-799. In exercise of the powers conferred by Section 27 of the Balochistan Public Procurement Regulatory Authority Act, 2009 (Balochistan Act No. VIII of 2009), the Government of Balochistan is pleased to make the following amendments in the Balochistan Public Procurement Rules, 2014, namely:

In the aforesaid rules, in rule-51, in sub rule (1), for clause (b), the following shall be substituted:

(b) **Direct contracting-** This method means procurement from a single source without competition and shall only be applicable under any of the following conditions:

- (i) where civil works are to be contracted and are a natural extension of an earlier or ongoing job and it can be ascertained that the engagement of the same contractor will be more economical and will ensure compatibility of results in terms of quality of works subject to limitation of repeat or variation order;
- (ii) in case of procurement through government organizations, the direct sourcing to a government organization for provision of works, goods or services under a cost plus or fixed contract:

Provided that the Public Sector Organization shall not involve a private sector enterprise as a partner or in the form of a joint venture or a sub-contractor. The government organizations shall be totally government owned and controlled or semi-autonomous and autonomous agencies under the administrative control of Federal Government or Provincial Government;

- (iii) where a change of contractor or supplier would oblige the procuring agency to acquire material having different technical specifications or characteristics and would result in incompatibility or disproportionate technical difficulties in operation and maintenance, this shall be done with proper justification and recoding of such reasons;

Provided that the contract or contracts do not exceed three years in duration and the competent authority certifies in writing the compatibility of the materials to be procured.

- (iv) In case of emergency, subject to the conditions:

(i) that all such procurements along with its emergent nature has to be recorded by the Principal Accounting Officer and approved by the technical head of the procuring agency;

(ii) that these have to be immediately intimated to Accountant General Office or District Accounts Office, as the case may be;

(iii) that quantities in all such procurements shall be limited to the assessed requirement of emergency only; and

(iv) that these shall be used only for procurements upto maximum for three months, which may be extended for such a period that Government may deem fit, depending on the nature of emergency;

Provided that the Principal Accounting Officer with the prior approval of the Government, declares that a situation of emergency has arisen and reasons for making such a declaration shall be recorded in writing;

(v) subject to the conditions of contract, a procuring agency may issue a variation order to a contractor to include works which were outside the original scope of works to ensure interests of Government and for reasons of economy, compatibility and efficiency provided that:

(a) the original contract is still in force;

(b) the procuring agency has satisfied itself for technical reasons that the placing of the variation order is cost effective;

(c) the value of variation order is not more than fifteen percent of the original contract; and

(d) there may be more than one variation orders as long as the total value of all the variation orders remains within 15 percent of the original contract.

**BY ORDER OF
GOVERNOR BALOCHISTAN**

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**Section Officer (Procurement)
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