

**GOVERNMENT OF RAJASTHAN**

**Training Module for  
Rajasthan Transparency in Public  
Procurement Act and Rules**

- 1. The Rajasthan Transparency in Public Procurement Act, 2012**
- 2. The Rajasthan Transparency in Public Procurement Rules, 2013**

*Finance (G&T) Department*

**September, 2013**

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# 1. Introduction

The Government of Rajasthan is taking great strides in bringing about efficiency, economy and transparency in functioning of its officials and in this direction has taken one more step forward by introducing a Bill entitled The Rajasthan Transparency in Public Procurement Bill, 2012 (the Act) in Rajasthan Legislative Assembly. The Legislative Assembly has enacted the Act on 26 April, 2012.

As subordinate legislation, the Government is also notifying The Rajasthan Transparency in Public Procurement Rules, 2013 (the Rules).

Hithertofore, the public procurement of goods, works and services in the departments of the Government was being done in accordance with the provisions of General Financial and Accounts Rules (GF&AR), Public Works Financial and Accounts Rules (PWF&AR), Treasury Rules, etc. which were in the form of executive orders of the Governor of Rajasthan. The Public Sector Enterprises, boards, institutions, societies, and other organisations of the State have been either following the GF&AR and PWF&AR or have framed their own rules and methods of procurement. Now, with the enactment of The Rajasthan Transparency in Public Procurement Act, 2012 and its subordinate legislation, the public procurement by all procuring entities, whether departments of the State Government or its subordinate or attached offices, State Public Sector Enterprises, Corporations, Companies, Boards, Local Bodies, Panchayat Raj Institutions, etc. will be governed by the provisions of the said Act and Rules.

Therefore, it has become extremely necessary to impart training to the procuring entities and the personnel of procuring entities involved in procurement, as also the community of supplies and contractors throughout the State in the new methods, procedures and other provisions for procurement stated in the Act, Rules.

## 2. Training Need Analysis

Capacity building is a natural continuation phase of newly introduced processes and procedures for their effective implementation.

As the Executive Orders of the Governor in the form of General Financial and Accounts Rules and Public Works Financial and Accounts Rules have been replaced by the law entitled The Rajasthan Transparency in Public Procurement Act, 2012, The Rajasthan Transparency in Public Procurement Rules, 2013 and training for various levels of officers and personnel involved in public procurement in the departments of the State Government, State Public Sector Enterprises, Corporations, Companies, Boards, Local Bodies, Panchayat Raj Institutions, etc. will have to be arranged, as also the supplies and contractors supplying goods, executing works and providing services.

The task of capacity building is tremendous, There are 180 departments in the Government of Rajasthan in which there are about 400 Heads of Department (HODs), 22,000 Drawing and Disbursing Officers (DDOs), Rajasthan Accounts Service (RACs) Officers comprising of Financial Advisors, Chief Accounts Officers, Senior Accounts Officers and Accounts Officers and Rajasthan Subordinate Accounts Service (RSACs) Officers comprising of Assistant Accounts Officers Grade I and II and Junior Accounts, besides a large number of officials assisting in the procurement process in the departments of the Government, State Public Sector Enterprises, Corporations, Companies, Boards, Local Bodies, Panchayat Raj Institutions, etc. and contractors and suppliers supplying goods, executing works and providing services.

The objectives, content and duration of the training programmes for different levels of the procuring entities, officers and employees associated in procurement, contractors

and suppliers will be different. There will also be a certification programme for the officials who wish to specialise in the procurement procedures.

### **3. Training of Procuring Entities as Regional Officers, Head of Offices in Government Departments and Officers involved in procurement in other organisations and RAcS/RSAcS Officers attached to them**

#### **3.1 Objectives of the Training programme**

As the module of this Training programme will be similar to that designed for Heads of departments, Managing Directors / Chief Executive Officers, Financial Advisors / Chief Accounts Officers, etc. its objectives are also similar to them. In addition to them following more objectives are included:

- To make the participants understand the use of State Public Procurement Portal for uploading of procurement related information on it;
- To make the participants understand the procedure of maintenance of procurement related record;
- To make the participants understand the procedure of preparation of bidding documents using Standard Bidding Documents including description of subject matter of procurement, deciding qualification of bidders and evaluation criteria;
- To make the participants understand the procedure of evaluation of bids, award of contract and monitoring of contract and implications of conditions of contract during performance of the contract.

### **3.2 Duration and Number of Programmes**

The duration of this Training programme will be of one week comprising of 20 sessions, each session being of 1.5 hours duration.

The number of such training programmes will depend on the number of participants in the Department/Organisation. Each programme may accommodate upto 40 participants.

### **3.3 Venue**

The venues of the programme will be HCM RIPA Jaipur, Jodhpur, Bikaner, Udaipur, Kota or decided by the Head of the Department /Organisation and may be anywhere in the State depending on the number of participants available in the proximity of the venue.

### **3.4 Contents**

The contents of this Training programme will be as follows:

(1) The Rajasthan Transparency in Public Procurement Act, 2012:-

Relevant provisions in the Act relating to:

- Fundamental Principles of Public Procurement;
- Major Definitions;
- Freedom and equal opportunity of participation to bidders;
- Reservation for certain category of bidders and items of procurement;

- Institutional Arrangements:
  - State Procurement Facilitation Cell;
  - State Public Procurement Portal;
  - E-Procurement Portal;
  - Maintenance of certain mandatory records relating to procurement.
- General principals and procedure of procurement;
- Methods of procurement and conditions in which a particular method should be applied and procedure of its application:
  - Open Competitive Bidding;
  - Limited Bidding;
  - Two-stage Bidding;
  - Single Source procurement;
  - Electronic Reverse Auction;
  - Request for Quotations;
  - Spot Purchase;
  - Competitive Negotiations; and
  - Rate Contract.
  - Redressal of grievances during procurement process through appeals:



- Grounds of appeal;
- Appeal not to lie in certain cases;
- First and second appeal;
- Stay of procurement proceedings;
- Vexatious appeals or complaints.
- Offences and Penalties under the Act:
- Punishment for taking gratification or valuable thing in respect of public procurement;
- Interference with procurement process;
- Vexatious appeals or complaints;
- Offences by companies;
- Abetment of certain offences;
- Debarment from bidding.
- Application of other laws and status of existing rules, regulations, orders, manuals, etc.

(2) The Rajasthan Transparency in Public Procurement Rules, 2013:-

- Organisational structure for procurement:
  - Constitution of State Procurement Facilitation Cell;
  - Implementation of e-procurement through e-Procurement Portal;

- Set up of the State Public Procurement Portal and information to be uploaded on it;
- Constitution of various committees for various functions relating to procurement.
- Detailed procedures of using various methods of procurement:
  - Open Competitive Bidding;
  - Limited Bidding;
  - Two-stage Bidding;
  - Single Source procurement;
  - Electronic Reverse Auction;
  - Request for Quotations;
  - Spot Purchase;
  - Competitive Negotiations; and
  - Rate Contract.
- Rules for procedures to be followed in procurement of goods, works and services valuing below rupees one lakh;
- Bid Process Management:
  - Determination of need, Procurement plan, Numbering convention, Procurement Management Information System and tracking, Procurement Register;

- Administrative, Financial and Technical sanctions and availability of budget provision;
- Obligations related to value of procurement;
- Participation of bidders;
- Description of subject matter of procurement;
- Criteria for evaluation of bids;
- Preparation of bidding documents;
- Single part and two part bids;
- Qualification of bidders, Eligibility of bidders;
- Time frame for procurement process;
- Prequalification proceedings;
- Bid security;
- Contents and publicity of Notice Inviting Bids;
- Fee for bidding documents, Sale of bidding documents;
- Pre-bid clarifications, Changes in the bidding documents;
- Period of validity of bids;
- Format and signing of bids, Sealing and marking of bids, Deadline for the submission of bids, Late bids, Receipt & Custody of Bids;
- Withdrawal, substitution and modification of bids;

- Opening of bids;
  - Preliminary examination of bids, Determination of responsiveness, Clarification of bids, Non-material Non-conformities, Exclusion of bids;
  - Evaluation of Technical bids, Correction of arithmetic errors in financial bids, Evaluation of financial bids, Price / purchase preference in evaluation;
  - Lack of competition;
  - Acceptance of the successful bid and notification of award, Publication of award of contract on the State Public Procurement Portal;
  - Restriction on negotiations;
  - Right to vary quantity, Dividing quantities among more than one bidder;
  - Performance security, Signing of contract agreement and entry into force of procurement contract, Cost of execution of contract agreement;
  - Confidentiality;
  - Cancellation of procurement process.
- Documentary record of procurement proceedings:
    - Legal requirement of maintenance of record of procurement proceedings;
    - Period of maintenance of record;
    - Maintenance of files pertaining to procurement.

- Code of integrity for procuring entities and bidders:
  - Code of Integrity for procuring entity and his personnel;
  - Conflict of interest for procuring entities and bidders;
  - Environmental considerations and Social responsibility;
  - Breach of code of integrity.
  
- Appeals:
  - First and Second Appellate Authorities;
  - Grounds of appeals, Appeals not to lie in certain cases;
  - Fee and procedure of filing and disposal of appeals;
  - Stay of procurement proceeding.

### **3.5 Emphasis will be given on application aspects:**

- Use of State Public Procurement Portal and procedure of uploading procurement related information on it;
- Procedure of maintenance of procurement related record;
- Procedure of preparation of bidding documents using Standard Bidding Documents;
- Describing subject matter of procurement, deciding qualifications of bidders and evaluation criteria;

- Procedure of registration, empanelment and pre-qualification of bidders;
- Procedure of evaluation of bids, award of contract;
- Monitoring of contract and implications of conditions of contract during performance of the contract;

### **3.6 Training Methods**

The Training methods will include:

- Power point presentations followed by discussions;
- Lectures;
- Registration and Uploading of bids on Rajasthan State Public Procurement Portal;

### **3.7 Resource Persons**

The Resource persons of the Training programme will include:

- Officers of HCM RIPA.
- Officers and Internal Consultants of Finance Department, Government of Rajasthan may be invited, if available;
- Head of Department / Chief Executive Officer of the concerned Department / Organisation;

- Financial Advisor / Chief Accounts Officers of the concerned Department / Organisation;
- Officers of Law Department, Government of Rajasthan and Legal luminaries may be invited to explain the legal issues involved;

### **3.8 Training Kit**

The training kit will include the following:-

- Copies of The Rajasthan Transparency in Public Procurement Act, 2012, The Rajasthan Transparency in Public Procurement Rules, 2013;
- Soft and hard copies of various Standard Bidding Documents for procurement of Goods, Works and Services by Open Competitive Method (One-stage, Two-stage Bidding; Single part, Two part Bids; Small contracts, Large contracts) as well as by Public Private Partnership method (BOT, BOO, BOLT, etc.);
- Copies of Power point presentations;
- Statement of Comparison of the provisions of the new Act and Rules with those of the GF&AR and PWF&AR.

### **3.9 Evaluation and Feedback**

The evaluation of the impact and effectiveness of the Training programme and Resource persons will be done by getting feedback through usual questionnaire distributed to the participants at the end of the Training programme and corrective

measures will be taken by the organisers, if need be, by making necessary modifications in the further Training programmes.



## 4. Training of personnel of Procuring Entities involved in procurement

### 4.1 Objectives of the Training

The objective of this Training programme is:

- To acquaint the participants about the important provisions of the new Law on Procurement, especially the changes in comparison to the existing provisions of GF&AR, PWF&AR and other related rules, regulations, manuals prevalent in the Department / Organisation;
- To make the participants understand the use of State Public Procurement Portal for uploading of procurement related information on it;
- To make the participants understand the procedure of maintenance of procurement related record;
- To make the participants understand the procedure of preparation of bidding documents using Standard Bidding Documents including description of subject matter of procurement, deciding qualification of bidders and evaluation criteria;
- To make the participants understand the procedure of evaluation of bids, award of contract and monitoring of contract and implications of conditions of contract during performance of the contract;
- To prepare a cadre of certified personnel specialised in procurement methods and procedures specific to the Department / Organisation concerned.

### 4.2 Level of Participants

The participants in this Training Programme will be dealing assistants, supervisors and other personnel of Procuring Entities involved in procurement in the concerned Department / Organisation.

### **4.3 Duration and Number of Programmes**

The duration of this Training programme will of one week comprise of 20 sessions, each session being of 1.5 hours duration.

The number of such training programmes will depend on the number of participants in the Department / Organisation. Each programme may accommodate upto 40 participants.

### **4.4 Venue**

The venues of the programme will be decided by the Head of the Department / Organisation and may be anywhere in the State depending on the number of participants available in the proximity of the venue.

### **4.5 Content**

The contents to be covered in the Training programme are:

(1) The Rajasthan Transparency in Public Procurement Act, 2012:-

Relevant provisions in the Act relating to:

- Fundamental Principles of Public Procurement;
- Major Definitions;
- Freedom and equal opportunity of participation to bidders;
- Reservation for certain category of bidders and items of procurement;
- Institutional Arrangements:
  - State Procurement Facilitation Cell;
  - State Public Procurement Portal;
  - E-Procurement Portal;
  - Maintenance of certain mandatory records relating to procurement.

- General principles and procedure of procurement;
- Methods of procurement and conditions in which a particular method should be applied and procedure of its application:
  - Open Competitive Bidding;
  - Limited Bidding;
  - Two-stage Bidding;
  - Single Source procurement;
  - Electronic Reverse Auction;
  - Request for Quotations;
  - Spot Purchase;
  - Competitive Negotiations; and
  - Rate Contract.
  - Redressal of grievances during procurement process through appeals:
    - Grounds of appeal;
    - Appeal not to lie in certain cases;
    - First and second appeal;
    - Stay of procurement proceedings;
    - Vexatious appeals or complaints.
  - Offences and Penalties under the Act:
    - Punishment for taking gratification or valuable thing in respect of public procurement;
    - Interference with procurement process;
    - Vexatious appeals or complaints;

- Offences by companies;
- Abetment of certain offences;
- Debarment from bidding.
- Application of other laws and status of existing rules, regulations, orders, manuals, etc.

(2) The Rajasthan Transparency in Public Procurement Rules, 2013:-

- Organisational structure for procurement:
  - Constitution of State Procurement Facilitation Cell;
  - Implementation of e-procurement through e-Procurement Portal;
  - Set up of the State Public Procurement Portal and information to be uploaded on it;
  - Constitution of various committees for various functions relating to procurement.
- Detailed procedures of using various methods of procurement:
  - Open Competitive Bidding;
  - Limited Bidding;
  - Two-stage Bidding;
  - Single Source procurement;
  - Electronic Reverse Auction;
  - Request for Quotations;
  - Spot Purchase;
  - Competitive Negotiations; and
  - Rate Contract.

- Rules for procedures to be followed in procurement of goods, works and services valuing below rupees one lakh;
- Bid Process Management:
  - Determination of need, Procurement plan, Numbering convention, Procurement Management Information System and tracking, Procurement Register;
  - Administrative, Financial and Technical sanctions and availability of budget provision;
  - Obligations related to value of procurement;
  - Participation of bidders;
  - Description of subject matter of procurement;
  - Criteria for evaluation of bids;
  - Preparation of bidding documents;
  - Single part and two part bids;
  - Qualification of bidders, Eligibility of bidders;
  - Time frame for procurement process;
  - Prequalification proceedings;
  - Bid security;
  - Contents and publicity of Notice Inviting Bids;
  - Fee for bidding documents, Sale of bidding documents;
  - Pre-bid clarifications, Changes in the bidding documents;
  - Period of validity of bids;
  - Format and signing of bids, Sealing and marking of bids, Deadline for the submission of bids, Late bids, Receipt & Custody of Bids;

- Withdrawal, substitution and modification of bids;
  - Opening of bids;
  - Preliminary examination of bids, Determination of responsiveness, Clarification of bids, Non-material Non-conformities, Exclusion of bids;
  - Evaluation of Technical bids, Correction of arithmetic errors in financial bids, Evaluation of financial bids, Price / purchase preference in evaluation;
  - Lack of competition;
  - Acceptance of the successful bid and notification of award, Publication of award of contract on the State Public Procurement Portal;
  - Restriction on negotiations;
  - Right to vary quantity, Dividing quantities among more than one bidder;
  - Performance security, Signing of contract agreement and entry into force of procurement contract, Cost of execution of contract agreement;
  - Confidentiality;
  - Cancellation of procurement process.
- Documentary record of procurement proceedings:
    - Legal requirement of maintenance of record of procurement proceedings;
    - Period of maintenance of record;
    - Maintenance of files pertaining to procurement.
- Code of integrity for procuring entities and bidders:
    - Code of Integrity for procuring entity and his personnel;
    - Conflict of interest for procuring entities and bidders;
    - Environmental considerations and Social responsibility;

- breach of code of integrity.
- Appeals:
  - First and Second Appellate Authorities;
  - Grounds of appeals, Appeals not to lie in certain cases;
  - Fee and procedure of filing and disposal of appeals;
  - Stay of procurement proceeding.

### (3) Contract Management

- Management of contracts;
- Monitoring of contract - Consultancy Monitoring Committee (CMC);
- Restriction on sub-letting / sub contracting;
- Restriction on changes in constitution of the contracting firm;
- Quality assurance, Inspection, sampling, rejections, measurement, check measurement;
  - Payment terms:
  - Presentation of claims by suppliers / contractors and their payments;
  - Terms of Payment for Domestic Goods;
  - Terms of Payment for Imported Goods;
  - Advance payment;
  - Processing and payment of supplier's/ contractor's claims;
  - Documents required for Payment;
  - Modes of Payment;
  - Deduction of Income Tax, Service Tax, etc. at source from payments to suppliers;
  - Refund from Supplier;
  - Payment at part rates, reduced rates.
- Contract price and Price variation;
- Additions, alterations and changes in design, drawing, specifications, place of delivery, quantities, etc.;
- Extension in delivery/ completion period and Liquidated Damages (LD);
- Recovery from bidders, suppliers or contractors;

- Warranty / Defects Liability period;
- Force majeure;
- Termination of contract;
- Forfeiture of performance security;
- Refund of performance security;
- Closure of contract;
- Settlement of disputes

#### (4) Standard Bidding Documents;

Model SBDs have been issued by the Finance Department, Government of Rajasthan for guidance of the procuring entities for preparation of bidding documents for particular procurement.

#### (5) Standard Bidding Documents for Goods, Works and services:-

- Contents of Bidding Documents:
  - Notice Inviting Bids (NIB);
  - Instructions to Bidders (ITB);
  - Bid Data Sheet (BDS);
  - Evaluation and Qualification Criteria;
  - Bidding Forms;
  - General Conditions of Contract;
  - Special Conditions of Contract;
  - Contract Forms.
- Standard Bidding Documents for procurement of Goods:
  - One-stage Bidding:
    - Post-qualification (One envelope);



- Pre-qualification (Two envelopes);
  - Two- stage Bidding.
- Standard Bidding Documents for procurement of Works:
  - One-stage Bidding:
    - Post-qualification (One envelope);
    - Pre-qualification (Two envelopes);
  - Two- stage Bidding.
- Standard Bidding Documents for procurement of Services:
  - Procurement of Consultancy Services:
    - Lumpsum Contract - Small and Large;
    - Time Based Contract - Small and Large.
  - Procurement of Non-Consultancy Services.

(6) Practical work and exercises on:

- Use of State Public Procurement Portal and procedure of uploading procurement related information on it;
- Procedure of maintenance of procurement related record;
- Procedure of preparation of bidding documents using Standard Bidding Documents;
- Describing subject matter of procurement, deciding qualifications of bidders and evaluation criteria;
- Procedure of registration, empanelment and pre-qualification of bidders;
- Procedure of evaluation of bids, award of contract;
- Monitoring of contract and implications of conditions of contract during performance of the contract;

## **4.6 Training Methods**

The Training methods will include:

- Power point presentations and/or Slide show of transparencies on OHP followed by discussions;
- Lectures;
- Practical work and exercises on;
- Use of State Public Procurement Portal and procedure of uploading procurement related information on it;
- Procedure of maintenance of procurement related record;
- Procedure of preparation of bidding documents using Standard Bidding Documents;
- Describing subject matter of procurement, deciding qualifications of bidders and evaluation criteria;
- Procedure of registration, empanelment and pre-qualification of bidders;
- Procedure of evaluation of bids, award of contract;
- Monitoring of contract and implications of conditions of contract during performance of the contract;

## **4.7 Resource Persons**

The Resource persons of the Training programme will include:

- Officers of HCM RIPA;
- Officers and Internal Consultants of Finance Department, Government of Rajasthan may be invited, if available;

- Head of the Department / Chief Executive Officer / Regional Officers / Heads of Offices of the concerned Department / Organisation;
- Financial Advisor / Chief Accounts Officers / Sr. Accounts Officers / Accounts officers of the concerned Department / Organisation who is involved in the procurement;
- Officers of Law Department, Government of Rajasthan and Legal luminaries may be invited to explain the legal issues involved.

#### **4.8 Training Kit**

The training kit will include the following:-

- Copies of The Rajasthan Transparency in Public Procurement Act, 2012, The Rajasthan Transparency in Public Procurement Rules, 2013;
- Soft and hard copies of various Standard Bidding Documents for procurement of Goods, Works and Services by Open Competitive Method (One-stage, Two-stage Bidding; Single part, Two part Bids);
- Copies of Power point presentations/Transparencies;
- Statement of Comparison of the provisions of the new Act and Rules with those of the GF&AR and PWF&AR;

#### **4.9 Evaluation and Feedback**

The evaluation of the impact and effectiveness of the Training programme and Resource persons will be done by getting feedback through usual questionnaire distributed to the participants at the end of the Training programme and corrective measures will be taken by the organisers, if need be, by making necessary modifications in the further Training programmes.

## **5. Training of Suppliers and Contractors**

### **5.1 Objectives of the Training**

The objective of this Training programme is:

- To acquaint the participants about the important provisions of the new Law on Procurement, especially with reference to transparency measures, code of integrity, right of appeals, offences and penalties;
- To acquaint the participants about the changes in the new Law in comparison to the existing provisions of GF&AR, PWF&AR and other related rules, regulations, manuals prevalent in the Department / Organisation;
- To make the participants understand the use of State Public Procurement Portal for accessing procurement related information on it;
- To make the participants understand the procedure of e-procurement;
- To make the participants understand the Instruction to Bidders (ITB) section of the bidding documents regarding preparation, submission of bids, etc.;
- To make the participants understand the description of subject matter of procurement, eligibility of bidders for participation in a procurement process, qualification criteria of bidders and criteria used for evaluation of bids;
- To make the participants understand the implications of conditions of contract during performance of the contract;

### **5.2 Level of Participants**

The participants in the Training programme will be the contractors and suppliers registered with the concerned Department / Organisation.

### **5.3 Duration and Number of Programmes**

The duration of this Training programme will be of 3 days comprising of 12 sessions, each session being of 1.5 hours duration.

The number of such training programmes will depend on the number of participants in the Department / Organisation. Each programme may accommodate upto 40 participants.

### **5.4 Venue**

The venues of the programme will be decided by the Head of the Department / Organisation and may be anywhere in the State depending on the number of participants available in the proximity of the venue.

### **5.5 Content**

The contents to be covered in the Training programme are:

(1) The Rajasthan Transparency in Public Procurement Act, 2012:-

Relevant provisions in the Act relating to:

- Fundamental Principles of Public Procurement;
- Freedom and equal opportunity of participation to bidders;
- Reservation for certain category of bidders and items of procurement;
- Institutional Arrangements:
  - State Public Procurement Portal;
  - E-Procurement Portal.
- Methods of procurement and conditions in which a particular method should be applied and procedure of its application:
  - Open Competitive Bidding;

- Limited Bidding;
- Two-stage Bidding;
- Single Source procurement;
- Electronic Reverse Auction;
- Request for Quotations;
- Spot Purchase;
- Competitive Negotiations; and
- Rate Contract.
- Redressal of grievances during procurement process through appeals:
- Grounds of appeal;
- Appeal not to lie in certain cases;
- First and second appeal;
- Stay of procurement proceedings;
- Vexatious appeals or complaints.
- Offences and Penalties under the Act:
- Punishment for taking gratification or valuable thing in respect of public procurement;
- Interference with procurement process;
- Vexatious appeals or complaints;
- Offences by companies;
- Abetment of certain offences;
- Debarment from bidding.

(2) The Rajasthan Public Procurement Rules, 2012:-

- Organisational structure for procurement:
  - Implementation of e-procurement through e-Procurement Portal;
  - Set up of the State Public Procurement Portal and how to access information on it;
- Detailed procedures of using various methods of procurement:
  - Open Competitive Bidding;
  - Limited Bidding;
  - Two-stage Bidding;
  - Single Source procurement;
  - Electronic Reverse Auction;
  - Request for Quotations;
  - Spot Purchase;
  - Competitive Negotiations; and
  - Rate Contract.
- Rules for procedures to be followed in procurement of goods, works and services valuing below rupees one lakh;
- Registration and Empanelment procedures for suppliers and contractors;
- Bid Process Management:
  - Determination of need, Procurement plan, Numbering convention, Procurement Management Information System and tracking;
  - Participation of bidders;
  - Description of subject matter of procurement;
  - Criteria for evaluation of bids;
  - Single part and two part bids;

- Qualification of bidders, Eligibility of bidders;
  - Prequalification proceedings;
  - Bid security;
  - Contents and publicity of Notice Inviting Bids;
  - Fee for bidding documents, Sale of bidding documents;
  - Pre-bid clarifications, Changes in the bidding documents;
  - Period of validity of bids;
  - Format and signing of bids, Sealing and marking of bids, Deadline for the submission of bids, Late bids, Receipt & Custody of Bids;
  - Withdrawal, substitution and modification of bids;
  - Opening of bids;
  - Preliminary examination of bids, Determination of responsiveness, Clarification of bids, Non-material Non-conformities, Exclusion of bids;
  - Evaluation of Technical bids, Correction of arithmetic errors in financial bids, Evaluation of financial bids, Price / purchase preference in evaluation;
  - Acceptance of the successful bid and notification of award, Publication of award of contract on the State Public Procurement Portal;
  - Restriction on negotiations;
  - Right to vary quantity, Dividing quantities among more than one bidder;
  - Performance security, Signing of contract agreement and entry into force of procurement contract, Cost of execution of contract agreement;
  - Confidentiality;
  - Cancellation of procurement process.
- Code of integrity for procuring entities and bidders:



- Code of Integrity for procuring entity and his personnel;
  - Conflict of interest for procuring entities and bidders;
  - Environmental considerations and Social responsibility;
  - breach of code of integrity.
- Appeals:
    - First and Second Appellate Authorities;
    - Grounds of appeals, Appeals not to lie in certain cases;
    - Fee and procedure of filing and disposal of appeals;
    - Stay of procurement proceeding.

(3) Standard Bidding Documents for Goods, Works and services:-

- Contents of Bidding Documents:
  - Notice Inviting Bids (NIB);
  - Instructions to Bidders (ITB);
  - Bid Data Sheet (BDS);
  - Evaluation and Qualification Criteria;
  - Bidding Forms;
  - General Conditions of Contract;
  - Special Conditions of Contract;
  - Contract Forms.
- Standard Bidding Documents for procurement of Goods:
  - One-stage Bidding:
    - Post-qualification (One envelope);
    - Pre-qualification (Two envelopes);

- Two- stage Bidding.
  - Standard Bidding Documents for procurement of Works:
    - One-stage Bidding:
      - Post-qualification (One envelope);
      - Pre-qualification (Two envelopes);
    - Two- stage Bidding.
  - Standard Bidding Documents for procurement of Services:
    - Procurement of Consultancy Services:
      - Lumpsum Contract - Small and Large;
      - Time Based Contract - Small and Large.
    - Procurement of Non-Consultancy Services.
- (4) Contract documents and terms and conditions of contract for procurement of consultancy and non-consultancy services.
- Monitoring of contract - Consultancy Monitoring Committee (CMC);
  - Restriction on sub-letting / sub contracting;
  - Restriction on changes in constitution of the contracting firm;
  - Quality assurance, Inspection, sampling, rejections, measurement, check measurement;
    - Payment terms;
    - Presentation of claims by suppliers / contractors and their payments;
    - Terms of Payment for Domestic Goods;
    - Terms of Payment for Imported Goods;
    - Advance payment;
    - Processing and payment of supplier's/ contractor's claims;
    - Documents required for Payment;
    - Modes of Payment;
    - Deduction of Income Tax, Service Tax, etc. at source from payments to suppliers;

- Refund from Supplier;
- Payment at part rates, reduced rates.
- Contract price and Price variation;
- Additions, alterations and changes in design, drawing, specifications, place of delivery, quantities, etc.;
- Extension in delivery/ completion period and Liquidated Damages (LD);
- Recovery from bidders, suppliers or contractors;
- Warranty / Defects Liability period;
- Force majeure;
- Termination of contract;
- Forfeiture of performance security;
- Refund of performance security;
- Closure of contract;
- Settlement of disputes

## **5.6 Training Methods**

The Training methods will include:

- Power point presentations and / or Slide show of transparencies on OHP followed by discussions;
- Lectures;

## **5.7 Resource Persons**

The Resource persons of the Training programme will include:

- Head of the Department / Chief Executive Officer / Regional Officers / Heads of Offices of the concerned Department / Organisation;
- Financial Advisor / Chief Accounts Officers / Sr. Accounts Officers / Accounts officers of the concerned Department / Organisation;
- Officers and Internal Consultants of Finance Department, Government of Rajasthan may be invited, if available;

- Officers of Law Department, Government of Rajasthan and Legal luminaries may be invited to explain the legal issues involved;
- Officers of HCM RIPA.

## **5.8 Training Kit**

The training kit will include the following:-

- Copies of The Rajasthan Transparency in Public Procurement Act, 2012, The Rajasthan Public Procurement Rules, 2012 and The Rajasthan Public Procurement Model Guidelines, 2012;
- Soft and hard copies of various Standard Bidding Documents for procurement of Goods, Works and Services by Open Competitive Method (One-stage, Two-stage Bidding; Single part, Two part Bids; Small contracts, Large contracts, Engineering, Procurement, Construction contracts).
- Copies of Power point presentations / Transparencies;
- Statement of Comparison of the provisions of the new Act, Rules and Model Guidelines with those of the GF&AR and PWF&AR;
- Work Books for exercises;

## **5.9 Evaluation and Feedback**

The evaluation of the impact and effectiveness of the Training programme and Resource persons will be done by getting feedback through usual questionnaire distributed to the participants at the end of the Training programme and corrective measures will be taken by the organisers, if need be, by making necessary modifications in the further Training programmes.