

Royal Decree No. 120/2011
Amending Some Provisions of the Tender Law

We, Qaboos bin Said,

Sultan of Oman

Having perused the Basic Law of the State promulgated by Royal Decree No. 101/96;

And the Tender Law issued by Royal Decree No. 36/2008;

And as per the exigencies of the public good;

Have decreed as follows

Article One: Introduces the attached amendments to the aforesaid Tender Law.

Article Two: Cancels all that contradicts the decree or contravenes with its provisions.

Article Three: The decree takes effect from the day following its date of publishing.

Issued on: 28th of Dhul-Qida 1432 AH

CT: 26th of October 2011 AD

Qaboos bin Said

Sultan of Oman

Amendments of Some Provisions of the Tender Law

First:

The texts of Article (6), second paragraph of Article (14), first paragraph of Article (15), and Article (31) of the abovementioned Tender Law shall be replaced by the following texts:

Article (6)

The employees at the entities subject to the provisions of this Law or their spouses and relatives to the second degree shall not submit bids or offers to these entities whether directly or indirectly. They shall not be contracted to purchase any items, perform tasks, or provide services without prejudice to the Law of Public Funds Protection and Avoidance of Conflict of Interests issued by Royal Decree 112/2011. This shall not apply – in cases of necessity – to purchase of their writings and artistic works or requesting them to do them by a justifiable decision from the head of the competent entity if the value thereof is not more than five thousand Omani Rials and from the Tender Board if more. They shall not participate in any way whatsoever in the awarding procedures.

Article (14) Second Paragraph

In all cases, the member shall refrain from reviewing the tender if he, his spouse or one of his relatives to the second degree is the bidder, owns a share therein, a director at the bidding company, an employee therein, an agent or a sponsor thereof.

Article (15) Second Paragraph

In exception to the text of Article (8) of this Law, an internal committee from the competent authority under the chairmanship of the head of this entity or anyone he may delegate shall have the powers of the Board for the tenders that do not exceed one million Omani Rials.

Article (31)

Choosing the best bid shall be done according to the technical and financial standards and criteria set in the tender documents. If the competent entity decides to remove one or more bids, its decision should be justifiable. The Board is not obligated to choose the lowest or any other bid.

Second:

A new Article (6 bis) shall be added to the said Tender Law. It shall read as follows:

Article (6)

No contractors or consultants who have direct or indirect interest with any project shall participate in the works related to this project.

