



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಬೆಂಗಳೂರು ರಾಜ್ಯ ಪತ್ರ

ಭಾಗ-IVA	ಬೆಂಗಳೂರು, ಶನಿವಾರ, ಸೆಪ್ಟೆಂಬರ್ ೦೭, ೨೦೧೯ (ಭಾದ್ರಪದ ೧೬, ಶಕ ವರ್ಷ ೧೯೪೦)	ನಂ. ೭೫೮
Part-IVA	Bengaluru, Saturday, September 07, 2019 (Bhadrapada 16, Shaka Varsha 1940)	No. 758

FINANCE SECRETARIAT

NOTIFICATION

NO:FD 574(A) Exp-12/2019, Bengaluru, dated:7th September 2019

In exercise of the powers conferred by sub-section (1) of section 25 of the Karnataka Transparency in Public Procurements Act, 1999 (Karnataka Act 29 of 2000) the Government of Karnataka hereby makes the following rules further to amend the Karnataka Transparency in Public Procurements Rules, 2000, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Transparency in Public Procurements (Amendment) Rules, 2019.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule 2.- In the Karnataka Transparency in Public Procurements Rules, 2000 (hereinafter referred to as the said rules), in rule 2, -

(1) in clause (c),-

(i) in the heading for the words "two-cover system", the words "two tender document system" shall be substituted;

(ii) for the words "sealed covers, one" the words "electronic documents, first" shall be substituted; and

(iii) the word "cover" shall be omitted.

(2) after clause (h), the following shall be inserted, namely:-

"(i) **"Tender processing fee"** means the non-refundable fee specified by the competent authority to be paid by the individual supplier for participation in tenders floated on the Karnataka Public Procurement Portal;

3. Omission of rules 4, 5, 6,7 and 8.- Rule 4,5,6,7 and 8 of the said rules shall be omitted.

4. Amendment of rule 9.- In rule 9 of the said rules,-

(i) after the words, "the notice inviting Tenders" the words, "shall be published on the Karnataka Public Procurement Portal and" shall be inserted;

(ii) for clause (c), the following shall be substituted, namely:-

"(c) The date and time upto which, and from where the tender documents can be accessed"; and

(iii) for clause (f), the following shall be substituted, namely:-

"(f) The date and time for opening of tenders received; and"

5. Amendment of rule 10.- In rule 10 of the said rules,-

- (i) for sub-rule (1), the following shall be substituted, namely:-
 “(1) The advertisement in newspaper shall be brief, containing the title of construction works or goods or services sought to be procured, last date and time of receipt of tender and shall also provide reference to the web address of the Karnataka Public Procurement Portal where tender document details are available.”; and
- (ii) sub-rule (4) shall be omitted.

6. Amendment of rule 12.- In rule 12 of said rules, in sub-rule (1) after the word “instruments”, the words and symbol “online or offline modes of e-payment and/” shall be inserted.

7. Amendment of rule 13.- In rule 13 of the said rules, for sub-rule (2) and (3), the following shall be substituted, namely:-

“(2) The tender documents shall be available for download free of cost from the date and time of publication of the tenders on the Karnataka Public Procurement Portal till the last date and time or the extended time of submission under rule 15.”

8. Amendment of rule 14.- In rule 14 of the said rules,

- (i) for the word “issue”, the word “uploading” shall be substituted; and
- (ii) for the words “shall send intimation of such change to all those who have purchased the original tender documents” the words “these shall be notified on the Karnataka Public Procurement Portal through issue of Addendum or Corrigendum or Clarification and they shall form part of original tender document” shall be substituted.

9. Amendment of rule 15.- In rule 15 of the said rules;

- (i) in the heading, for the word “place”, the word “date” shall be substituted;
- (ii) for sub-rule (1) the following shall be substituted, namely:-
 “(1) The Tender inviting Authority shall fix the last date and time for online submission of the tenders subject to the provisions provided under rule 17”;
- (iii) sub-rule (2) shall be omitted;
- (iv) in sub-rule (3) for the words “to all the intending tenderers in cases”, the words “on the Karnataka Public Procurement Portal” shall be substituted;
- (v) after sub-rule (3), the following shall be inserted, namely:-
 “(4) (a) The Tenderers shall digitally sign their bids with their valid Digital Signature Certificate (DSC) as issued under the Information Technology Act, 2000 (Central Act 21 of 2000); and

(b) It shall be the responsibility of the tenderers to ensure that their tender is submitted in the Karnataka Public Procurement Portal within the last date and time specified for the receipt of the tenders.

10. Omission of rule 16.- Rule 16 of the said rules shall be omitted.

11. Amendment of rule 17.- In rule 17 of the said rules,-

- (i) in sub-rule (1),-
- (a) for the words and brackets “between date of the publication of the notice inviting tenders in the relevant tender Bulletin (or uploading in e-procurement portal whichever is later and)” the words “from the time of the publishing in the Karnataka Public Procurement Portal and” shall be substituted;
- (b) for the words “be as follows”, the words “not be less than the period mentioned below” shall be substituted;
- (c) in clause (a) for the word “thirty” the word “fifteen” shall be substituted;
- (d) in clause (b) for the word “sixty” the word “thirty” shall be substituted.
- (ii) in sub rule (2), after the word “writing”, the words “this reduced time shall not be less than seven days” shall be inserted; and
- (iii) after sub-rule (2), the following shall be inserted, namely:-

“(3) The last date for submission of tenders, so fixed, shall be on the working day and time shall be mandatorily between 10.00 hrs and 17.30 hours only.”

12. Amendment of rule 18.- For rule 18 of the said rules, the following shall be substituted, namely:-

“18. **Opening of Tenders.-** The Tender Inviting Authority or representative can open tender in the Karnataka Public Procurement Portal at the designated date and time, without requiring the presence of bidders”.

13. Amendment of rule 19.- In Rule 19 of the said rules,-

(i) for clause (a), (b), (c) and (d) the following shall be substituted, namely:-

“(a) List of submitted tenders termed as RECEIVED and list of incomplete tenders termed as DRAFT shall be displayed;

(b) All tender payments successfully received shall be displayed;

(c) The tenders which have been submitted in Karnataka Public Procurement Portal and whose tender payments were successfully received shall be opened;

(d) The name of the tenderers shall be published in the Karnataka Public Procurement Portal.” and

(ii) clause (f) shall be omitted.

14. Amendment of rule 20.- In rule 20 of the said rules, in sub-rule (1), the words “supervise opening of tenders” shall be omitted.

15. Amendment of rule 25.- In rule 25 of the said rules, in sub-rule (2), clause (a) and (b) shall be omitted.

16. Amendment of rule 26.- In rule 26 of the said rules,-

(i) for sub-rule (2), the following shall be substituted, namely:-

“(2) The system shall auto generate a statement of evaluation of the tenders with comparative statement for consideration of Tender Accepting Authority.”

(ii) After sub-rule (2), the following shall be inserted, namely:-

“(2A) Tender Accepting Authority shall pass suitable orders after evaluating the tenders, as per rule 25.

(2B) The order of the Tender Accepting Authority along with the comparative statement shall be uploaded in the Karnataka Public Procurement Portal.

(2C) Tender Inviting Authority shall communicate the same to the successful tenderer.”

17. Amendment of rule 28.- In rule 28 of the said rules,-

(a) for the heading, the words “Two tender document system” shall be substituted.

(b) in sub-rule (2), (3), (4) and (5) for the word “cover”, wherever it occurs, the words “electronic document”, shall be substituted.

18. Amendment rule 28E.- In rule 28E of the said rules, in item (iii), the words and figures “organisations and less than Rs.1,00,000” shall be omitted.

19. Amendment of rule 29.- Rule 29 of the said rules, shall be renumbered as sub-rule (1) thereof and after sub-rule (1) as so renumbered, the following shall be inserted, namely:-

“(2) The aggrieved tenderer shall submit online appeal within specified period to the Appellate Authority specified in Tender Schedule through the Karnataka Public Procurement Portal.”

By order and in the name of the Governor of Karnataka

Mallikarjuna S Halakurki
Under Secretary to Government
Finance Department
(Procurement Cell)(I/c)