

We, Al Hussein the First, King of the Hashemite Kingdom of Jordan
Pursuant to Article (114) of the Constitution
and in accordance with the decision made by the Cabinet
on the 4th of May 1993

c. Chairman of the Upper House of the Parliament and in his absence the Chairman of the
Lower House with regard to the Parliament matters.

- Specific Procurement** : The assets provided especially for a particular department or a number of departments. These assets must be essential for the fulfillment and implementation of duties required by the concerned department.
- The Project** : The particular activity for which all resources shall be mobilized by virtue of the general capital budget law or the department is capital budget, or the activity funded by a particular authority pursuant to a specific mutual agreement.

Chapter Two
Regulations Validity,
Duties and Responsibilities

This Regulation shall be enforced in all departments covered in the General Budget, the departments without a specific Procurement Regulations, and any other department designated by the Cabinet.

Article 3:

The General Procurement Department shall assume the following duties and responsibilities:

Article 4:

Establishing the general policy and means of execution for the Procurement Department. .One

Purchasing all the procurement needed for each department pursuant to the provisions herein. .Two

Maintaining and storing joint and surplus procurement at any department. Storage shall be in the central warehouses to be distributed to or exchanged among other departments as needed. .Three

Conducting the necessary studies for the development of the procurement administration including: .Four

Article 13: Taking into consideration the terms of this regulation, the purchasing authority shall be entitled to purchase procuremnt according to the terms of trade protocols and agreements made between the Hashemite Kingdom of Jordan and other Arab and foreign governments and authorities.

Cross Boarder Purchase

Article 14:

If the procuremnt is not available except from one source.	.3
If the procuremnt to be purchased is spare parts or complimentary parts or equipment not available at different sources in the same quality based on a report from the competent and expert authorities.	.4
Purchasing scientific items such as films, transcripts, and similar materials.	.5
If the procuremnt is to be purchased in order to achieve uniformity in the department, reduce variation, or to economize in the use of spare parts, which shall be determined upon a request from the Competent Minister.	.6
To purchase services that include maintenance, repair, replacement, or inspection where as the volume of work needed is not determined upon purchase.	.7
	.8

5. Purchase of scientific and cultural services including consultancies, research and studies, or their appraisal whether by institutions or individuals and upon a recommendation by the Secretary General.

The Secretary General .Two

1. Purchase procuremnt for JD 500 (five hundred Dinars) maximum for each purchase transaction, following the method he shall deem as convenient.
Purchase procuremnt for JD 5000 (five thousand Dinars) for each purchase transaction through the Purchase Committee stipulated in Clause 2 of Paragraph (a) of this article. .2
- Purchase of spare parts and operational materials regardless of their value through the Purchase Committee stipulated in Clause (2) of Paragraph (a) in this article if they are not available at more than one source. .3
- Purchase of procuremnt the prices of which are specified by the official authorities no matter of which amount they should be. .4
- If the purchase and selling of procuremnt is between one department and the other, the transaction will be implemented upon a resolution by the two Secretary-Generals of both departments and for the price they agree upon. .5

The Director in each Purchase Transaction .Three

1. Purchase of procuremnt for JD 200 (two hundred Dinars maximum by means deemed as adequate.
Purchase of procuremnt for JD 1000 (one thousand Dinars maximum) through the Purchase Committee stipulated in Clause (2) of Paragraph (a) in this article. .2
Otherwise, a three-member purchase committee will implement the transaction. However, the committee must be formed every year according to the decision of the Secretary General.

Purchases of Diplomatic Missions .Four

Procuremnt for the Diplomatic Missions abroad shall be purchased according to the following powers:

1. Purchase of procuremnt for JD500 (five hundred Dinars) maximum or thee2o.5()3uh()2(t)-4.1(r)4.8

Fourth: Tenders

Article 17:

A central tender committee shall be formed at the Department of General Procurement according to the following procedures in order to implement tasks and authorities stipulated herein: **.One**

in disagreement, however, the matter shall be referred to the Competent Minister for a final decision.

Article 20:

Upon a recommendation by the Competent Minister and the Minister, the Cabinet **.One** shall have the right to form a special committee for tenders consisting of the Secretary General of the Department, the Director General and three prominent employees of the first employment class. The Committee's aim is to purchase procurement for a certain project due to its size or because the Government of an Arab/foreign party participates in its financing. The Cabinet shall appoint its president from among its members¹.

The Special Tenders' Committee shall hold its meetings in full quorum or in **.Two** presence of four members including the Committee's chairman. The Committee shall pass its resolutions unanimously or in majority. The Competent Minister and the Minister shall approve the purchase resolutions passed by the Committee. When in disagreement, however, the matter shall be referred to the Prime Minister for final decision.

The Special Tenders' Committee stipulated in Paragraph (a) of this Article shall be **.Three** restricted to the rules, conditions and procedures concerning the announcement of tenders decided under this regulation and the regulations issued in compliance therewith, taking into consideration any special terms incurred by agreements to finance the Project.

Article 21: The Party specialized in approving the resolutions of bid award must make the required decision during (15) fifteen days at most from the date of its receipt. Otherwise, they will be considered as de jure approved.

Article 22:

The Central Tenders' Committee or the special tenders' committee formed in **.One**

printing the invitation and its annexes and the tender's value. However, he shall have the right to distribute the invitation free of charge to the Arab and foreign commercial attaches, non-resident companies, parties operating under the government, and the parties deemed as being of favor for the Treasury.

Article 25: The Director General shall act on behalf of any department in signing the agreements for supplying procurement with the contracted parties in implementation of the resolutions issued by the Central Tenders' Committee. He shall have the right to delegate this power to the Secretary-General of the Department or one of the first class employees at the General Procurement' Department.

Article 26: The Central Tenders' Committee shall have the right to charge the Purchase Committee or a foreign body with purchasing the procurement on their behalf in cases

Chapter Four
Procurement Administration
First: Procurement Units

Article 28: The Secretary General shall be responsible for supervising the procurement of his department, controlling it and taking the required procedures and arrangements to maintain it to the best use for the defined purposes.

Article 29:

Inspection and Delivery

Article 36: All procurement in the contract shall be shipped and provided from inside and outside the Kingdom in name of the beneficiary department.

Article 37: The beneficiary department shall be responsible for the following:

- One. Following up the execution of contracts to purchase procurement.
Procedures of clearance of the procurement purchased from abroad. .Two

Article 38: In each department, there shall be established one or more delivery committee

Aids and donations of procurement shall be received upon cross-checking them .Five with the shipment documents, the invoices or any other document revealing the specifications of procurement and their quantities. Any deviation in quality and quantity from the standards and terms in the agreement, invoices, or shipment

Two. Products of vocational schools, training centers and research along with the products of any similar productive department shall be sold according to the regulations passed by the Competent Minister.

- c. The sold procurement shall be delivered to the Purchaser after paying their value upon a duly organized release document with the number, date and value of receipt vouchers.

Lending, Renting, Donating, Granting and Transferring

Article 57: The Competent Minister shall have the right to lend, rent or transfer any procurement to any other department they need. However, the General Procurement Department must be informed of this.

Article 58:

Two. The Competent Minister shall have the right to donate any surplus government procurement whose amount when purchased does not exceed JD 1000 (ten thousand Dinars) to public or private official institutions, voluntary societies, sports clubs, cultural and arts bodies; or any government or regional, or foreign international institution for the purpose of strengthening their mutual relations with the Kingdom. The General Procurement Department of General Procurement must be informed of the same.

- b. Upon a recommendation by the Competent Minister, the Prime Minister shall have the right to donate or grant the procurement of a value more than JD1000 (one thousand Dinars) at purchase time. This will be done to parties stipulated in Paragraph (a) of this Article and the General Procurement Department must be informed of the same.

Chapter Five **Control on Procurement**

The General Procurement Department shall coordinate and cooperate with **Article 59:** the other departments in terms of the following:

- a. Characterizing the components of commonly used procurement into patterns to facilitate identification and to define the usage of procurement and the requirements of each department.
 - b. Classification of some or all the procurement according to shape, color, weight, and measurement.
 - c. Attaching code numbers and letters to the supply items to insure non duplicity and facilitate purchasing procedures, storing, handling and benefiting from the supplies.
- Distinguish the government procurement by a special stamp whenever possible. .Three

The Secretary-General shall form one committee or more consisting of the **Article 60:** department staff members in order to control the procurement and assets available at the warehouses. He shall also insure proper utilization and safe stock piling through conducting an inspection whenever they see appropriate on condition that the number of

inspections shall not be less than once every year and the report shall be submitted to the Secretary General.

The warehouse keeper of any department shall: **Article 61:**

Provide a court guarantee according to the staff guarantee system. a.
Submit periodical reports to the secretary general on the conditions of procurement b.
under his at least custody once a year supported with lists of defected procurement,
surplus, shortage, stagnant procurement.

Article 42:
A. Reception and delivery of procurement between different departments **Article 62:**

warehouse keepers or any other officer responsible for the maintenance of procurement
shall be conducted according to special inventory lists identical to the warehouse
records to be signed by both the receiving and delivering parties, while the direct
officer in charge of each shall endorse their signatures.

B. If the warehouse keeper or any other officer responsible for the maintenance of
procurement did not manage (for any reason) to deliver the supplies under his custody
to his successor then delivering the procurement shall be made to a special committee
appointed by the direct officer in charge to perform this responsibility on a temporary
basis.

C. If any surplus or shortage in the assets of the warehouse was found during delivery, then
individual lists shall be made for each case of surplus or shortage which shall be signed
by all parties participating in the delivery and reception processes.

D. The person in charge of keeping the procurement shall be fined to cover at least half the
value of the shortage or the loss due to defects resulting from neglect, and the proper
measures shall be taken against him.

E. If an outside violation into the warehouse took place then the warehouse keeper shall
inform the chairman of the department of such an attempt, and the chairman of the
department shall in turn conduct an immediate investigation

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Scratching, erasing, or writing off on any records, vouchers, or specific procurement documents shall not be allowed, and correction shall only be by writing two parallel lines in red ink on the error and the correction shall be written in blue or black ink with the signature of the person who made the correction in front of it. **Article 65:**

Chapter Six
General Articles

Collected payments of the value of loss, surplus, or sold procurement shall **Article 66:**

		invitation for a bid.
Special Conditions	:	The conditions decided by the beneficiary department or the general supplies department.
Invitation for Bids	:	<p>The invitation shall include the following documents:</p> <p style="padding-left: 40px;">An invitation for bidding .st1</p> <p>The specifications of the required supplies (including .nd2 models, plans, illustrations, and other illustrative items).</p> <p style="padding-left: 40px;">Tender instructions and general conditions .rd3</p> <p style="padding-left: 40px;">Tender special conditions (if any) .th4</p> <p>Bidder qualification requirements (whenever .th5 requested).</p>

Duties and Obligations

Article 4: Before dispatching the purchase order to the party concerned with bidding the tender, the beneficiary Department shall assure the real need of purchasing the required supplies, and that they are not available at the General Procurement Department unless in cases of emergency not allowing that. The concerned tendering party shall implement the following:

A. Revising the specifications submitted for the required supplies in order to assure their generality, accuracy and clarity. The Party can ask the assistance of experts and technicians or any other party for this purpose.

B. Assuring the submission of a duly signed financial bond for the amount estimated for the tender or the purchase permission issued by the General Procurement Department and the fulfillment of tender requirements.

C. The General Proc(ne)32d5e 440.58s9.4(iss0r)7.7(nder requirem)n436.08 726.1403 T2-b 422d5e 4 e

- A. The Director General or the Secretary General shall announce the tenders under annual serial numbers in three local daily news papers for more than one day, and by other media he shall deem as convenient.

- B. The tender announcement must clearly state the number thereof, the type of supplies,

- (c) If he hasn't signed the purchase order or its alternative within the period defined by the Director General, the Secretary General or their authorized person.

Article 10 – Performance Bond

One. The Bidder shall submit the performance bond when awarded the bid. Such bond must be in the form of a bank guarantee or a certified check issued by one of the banks or the financial institutions licensed and operating in the Kingdom for an amount not less than 10% of the total value of the supplies in the tender or of the value calculated by the estimatd by the tender committee for decissions of unknown value. The Performance Bond must be submitted before signing the Purchase Order (the Agreement).

Two. A single security for more than one tender shall not be accepted. However, one security to enter the bid and performance bond for the same tender shall be accepted if the security contains an explicit statement thereof while observing the adequacy of the security value. This was ammended in instructions of 1998.

Article 11: The Bidder shall be committed to submit the performance bond during the period stipulated in the notification letter of the award of the bid and issued by the awarding department.

Article 12: The Department inviting for bids shall examine the period of securities and insurance of the tenders and shall request the extension of the validity of those securities and insurance at least two weeks prior to the date of expiration of the period deemed as convenient. Or, the value of securities shall be deposited as a consignment at the Ministry of Finance or at the Department issuing the tender. This value shall be recorded in name of the Director General or the Secretary General in addition to his job as necessary. The amount shall be considered an insurance of the tender or the awandnaa5.8(su)-.3(t)-6.c.3(9(nd)-11(ne)4.0r

Article 18:
A.

Article 24: When requested, the Bidder shall submit the due documents and data according to his experience and technical and financial capacity, and the service level available for him, and any other requirements necessary to indicate his capacity to fulfill the obligations and requirements of the tender.

Article 25: The Bidder shall submit his offer in two identical separate copies along with a security to participate in the tender in one envelope duly sealed unless otherwise requested in the tender's invitation. He shall write the name of the department inviting for the tender, the address P. O. Box, fixed name and address of the Bidder, number of the tender clearly stated, and the closing bidding date. Otherwise, the Tenders' Committee shall have the right to disregard the offer.

Article 26: The Bidder shall file the offer in the tenders' box at the department inviting for bidding before the end of the specified period. It is preferable to do this or so in a reasonable period prior the closing date in order to avoid all emergencies. Each offer that is filed in the tenders' box prior to the bidding closing date shall be disregarded and shall be returned to its source sealed. In where the sender of addresser is not written or the required information are not sufficient or clear, the Department shall have the right to open the envelope to investigate the contents and address if any in order to return the offer back.

Article 27: No offers dispatched directly to the department in cable, by fax, telex or telephone shall not be accepted unless the tender invitation otherwise explicitly stated.

Article 28: Offers not duly signed and stamped shall not be accepted. The same applies to the offers with missing or vague parts in a manner that prevents awarding the bid.

Article 29: The Bidder must enclose with his offer the original copy of any catalogues, bulletins, technical information or statistics detining the offered supplies either in Arabic or in English. In case these are not enclosed with the offer or not submitted therewith, the Tenders' Committee shall have the right to disregard the offer. The Bidder shall not object thereto.

Article 30: The Bidder shall submit with his offer the samples required in the tenders'

Article 34: When the date of submitting the supplies is not specified in the invitation to the tender, the Bidder must specify this date. Where this date is unspecified in both cases, the supply shall be deemed as immediately. The term immediately herein means in one week as from the date of signing the Purchase Order (the Agreement).

Article 35:

- A) The technical aspects of offers shall be considered in order to establish technical standards according to required specifications by using a special form prepared for this purpose. All offers shall be subject to the same standards regarding the Bidder's compliance with the specifications and requirements in the Tender's Invitation.
- B) The Bidder's financial and technical capacity along with his ability to comply with the tender requirements shall be taken into consideration.
- C) Consideration shall be due paid to the offer with the lowest price first, followed with sequence until finishing all the submitted offers.
- D) If the offers fulfill with all conditions, specifications, and quality, the Functional Committee shall recommend awarding the bid to the lowest price.
- E) A comparison of prices is held (made) in order to determine the lowest conforming price on condition that any additions or spare parts not required in the tender invitation shall be excluded. The Tender Committee shall have the right to accept the additions, and spare parts included in the offer awarded the bid after winning.
- F) Where the requirements are not provided in the offer with the lowest price, the following offer shall be considered until reaching the offer fulfilling the requirements of awarding the bid. However, reasons for excluding other low price offers shall be clearly explained.
- G) Where all offers (bids) do not comply with the requirements or missing some parts thereof, the supplies in the offer that fulfill the requirements of the beneficiary department may be purchased. These must be of good quality and adequate prices (the most convenient offers).
- H) When considering the offers, the regular availability of the spare parts, maintenance and any other matters stipulated in the Supplies Regulations and their Instruction shall be taken into account.
- I) When considering the offers, the preferential price granted for local products will be taken into account.

Article 48: Where there is a mistake in the offer concerning the total price, the unit price shall be adopted. However, if where is more than one unit price, the matter shall be referred to the Tender Committee to take a decision according to the contextual indicators. The Committee, however, may exclude the offer when failing to find such indicators. In where there is a difference between the figure and the word of amounts, the lower price shall be adopted unless the Committee found satisfactory indicators to adopt the higher price.

Article 49: Where required specifications, prices, terms and quality identical/equal in offers, the offer with additional advantages shall be preferred, then the offer providing local products, then the Bidder permanently residing in the Kingdom, then the shorter delivery period in case a quick delivery is in favor of the beneficiary department.

Article 50:

the Committee may reject offers submitted. The Committee shall not be bound to award the bid to the lowest price with no liability to mention the reasons thereof.

Article 55: The Tenders' Committee shall have the right to decrease or increase the quantities required in the tender invitation prior to awarding the bid without referring to the Bidder or after awarding the bid with the approval of the contractor on condition that the increase or decrease be 30% maximum whether before or after awarding the bid.

Article 56: The Tenders' Committee may exclude any offer from a bidder who could not fulfill his obligations in the past, or who claimed to be a representative of a certain institution/company, or claimed to be their agent, or hide the fact that he is their agent whether a Jordanian or a foreign institution/company.

Article 57: The Tenders' Committee shall ignore an offer not complying with the specifications, terms, general regulations, special conditions, and the provisions of the valid Supplies Regulations. They shall ignore an offer by an incapable or unqualified bidder; it shall also reject an offer by a bidder who has been previously forbidden from participating in bids for a period defined by the Tenders' Committee.

Article 58: If there is a contradiction or a conflict between the general regulations and terms and the special ones, premises in the special ones shall be adopted.

Article 59: Specifications stated in the tender invitation or the award resolution shall connote the minimal accepted level. Specifications of samples in offers shall not nullify those in the tender invitation or the award resolution unless they should be of a higher standard.

Article 60: Where the Tenders' Committee discovers that the offered prices are high and inadequate, it may re-announce the tender. Otherwise, it can effect the purchase by means of requesting quotations, or upon negotiations in conformity with the Supplies Regulations. It may also cancel the purchase decision whether entirely or partially. When re-announcing the tender, the bidder who has already purchased the invitation can attain the new one for free.

Article 61:

them annual serial numbers. After being certified, the resolutions shall be put in the form of agreements or (purchase order) signed by both contractual parties. Copies of such agreements/purchase orders and resolutions shall be distributed to the concerned parties in order to implement them.

B) A copy of the resolutions by the Tenders' Committee shall be sent to the Public Supplies Department/Central Register.

Article 64: The Tenders' Committee shall reserve the right to cancel any of the tender invitations in any time or any phase with no clarification of reasons. It may also reject all or some of the submitted offers with no right for any of the bidders to report thereto on basis of loss or damage as a result of submitting the offer. The Tenders' Committee shall not be subjected to bear no financial or other obligations.

Sixth: Responsibilities of the Contractor before the Tenders' Committee and the Governmental Departments

Article 65:

Government who can hold him responsible for the expenses of removal and damage if necessary.

Article 70: Where Contractor did not implement his obligations by the date stipulated in the Contract, the Secretary General of the beneficiary department shall impose a financial fine on him regardless of the damage due to the delay in implementation. The fine shall be 0.5% minimum of the value of supplies that have not been provided for every week or part of a week for two months maximum unless otherwise stipulated in the award resolution.

Article 71: Where the delay to provide supplies is more than two months, the Secretary General of the beneficiary party shall refer the matter to the Tenders' Committee in order to take the appropriate decision. The Committee may purchase supplies on the expense of the

convincing reasons are mentioned. Then, they can be returned upon a resolution by the Director General, or the Secretary General in three months maximum as from the date of entering the records. The resolution upon which these samples have been returned will be entered into the official register of supplies before disclosing them.

Article 77: The Director General or the Secretary General shall define the method of sample delivery, their storage and return back.

Article 78: Samples submitted by Contractors who were awarded the bid shall be returned

Article 84: The Tenders' Committee specialized in forces majeure shall consider the same in relation with place and time and their impact on implementing the contract.

Tenth: Bid Box

Article 85: The Department shall keep a box with three keys. The head and two members of the Committee shall keep one each. Bidders or representatives will file offers in this box through a hole which can be closed by using a special piece. Bidders may withdraw their offers or amend them upon written requests duly signed and stamped and filed in the box prior to the closing date.

Article 86: As from the date of enforcing these instructions, the following will be turned null and void:

- One. Organizational instructions No. (1) issued upon Article (9) of the Supplies' By-laws No. (37) for 1978.
- Two. Any instructions or text that contradicted with these instructions.

Sami Qammouh
Minister of Finance

**Instructions of Preparing Lists of Supply Requirements for
Departments
And Producing the Relevant Purchase Orders**

Upon the powers given to me in compliance with Article (5) of the Procurement Regulation No. (32) for the year 1993, and as the execution of works depends on defining this job (supply requirements), and producing it in the form of plans and programs; as the purchase

Article 8: Producing purchase orders while having all similar procurement in one purchase transaction.

Article 9: Sending purchase orders to the concerned parties during the first three months as from the date of issuing the department's budget supported with the following:

- One. General, comprehensive, accurate and clear standards as per Article (5) herein.
- Two. A financial bond for the amount estimated for each purchase transaction.
- Three. Any other special conditions resolved by the beneficiary department.
- Four. Any other requirements and approvals necessary to implement the purchase transaction.

Article 10: In case there is an unforeseen need to purchase certain procurement not covered with allowances or their allowances are insufficient, the purchase permit must be obtained from the General Procurement Department before dispatching the same to the party authorized with purchase.

Article 11: While observing Article (9) herein, when need arises to purchase emergency supplies, the purchase order shall be sent to the authorized party upon that need and in line with these regulations.

Article 12: In case the provision of procurement will take place in a fiscal year rather than