

# LAW OF THE REPUBLIC OF TAJIKISTAN

## ON INTRODUCTION OF AMENDMENTS TO THE LAW OF THE REPUBLIC OF TAJIKISTAN "ON PUBLIC PROCUREMENT OF GOODS, WORKS AND SERVICES"

Article 1. To introduce following amendments into the Law of the Republic of Tajikistan "On Public procurement of goods, works and services" as of March 3, 2006 (Akhbori Majlisi Oli of the Republic of Tajikistan, 2006, 9 3, p. 158):

1. Article 1. To add "and for disaster response and other emergencies in accordance with the decision of the Government of the Republic of Tajikistan" after the words "precious stones"

2. Article 3:

- In Part 1, to replace words "state budget" with "public funds";
- In Part 2, to add new paragraph after the second paragraph that reads as follows: "Funds of entities and other organizations established by the Government of the Republic of Tajikistan, the public authorities";

- To rephrase Part 15 as follows:

"15. The minimum threshold amount of purchases is the indicator set for the article of expenditure of a budgetary expenditure classification for the quarter. A procuring entity has the right to procure under the simplified procedure if it does not reach this threshold.

The minimum threshold amount for the procurement of goods is equal to two hundred and fifty calculation indicators. The minimum threshold for procurement of works and services is three hundred and fifty calculation indicators."

- To delete part 7 and Parts 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, to be respectively considered as parts 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

3. The first sentence of the Article 6 to be read as follows:

"For the purposes of the implementation of the provisions of the present Law upon the execution of the public procurement procedures, the notifications and/or announcements are recognized as valid if they are prepared in writing, except for cases specified in paragraph 1 of the Article 45 of the present Law."

4. Article 8:

- To rephrase Part 1 as follows:

"1. Persons authorized to be replaced by "persons authorized to

with a new paragraph after the second paragraph that

is established by the Government of the Republic of

replaced by the "officials with the Certificate of  
second paragraph of the Part 1 of the Article 10.

7. The word "quarterly" to be replaced by "three months" in the eleventh paragraph of the Part 2 of the Article 12.

8. The words "by the head of the procuring entity" to be added by "for each individual purchase" in the Part 1 of the Article 13.

9. To add words "with the ban of the right of use" after the words "property is not bonded" in the second paragraph of the Part 1 of the Article 16.

10. To delete fourth paragraph of the Part 3 of the article 17.

11. To rephrase Article 18 as follows:

"Article 18. Favorable treatment for domestic producers."

In order to support local industry, the favorable treatment is applied to domestic producers. The rules of the favorable treatment are approved by the Government of the Republic of Tajikistan."

12. To add words "misrepresentation of fact, fraud" after the words "false information" in the third paragraph of the Part 1 of the Article 19.

13. Part 1 of the Article 20:

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19. To delete Fifth paragraph of the Part 1 of the Article 32.

20. To replace the words “one week” with “one day” in the Part 1 of the Article 33.

21. In the Part 1 of the Article 34:

- To replace words “Invitation to bid” with the words “tender documents” in the first

27. Article 45:

- To rephrase Part 1 as follows:

"1. Procuring entity is obliged to, within three days, notify all participating suppliers (contractors) after the selection of a successful bidder by any acceptable manner, which may, if necessary, be confirmed.";

- To rephrase Part 3 as follows:

3. Procuring entity and bid winner are entitled to sign a procurement contract within 3 days from the date of notification of bidder's on the results of the bid if appeal procedure is not launched in accordance with Articles 79-81 of this Law. In case of the expiration of the winner's term of application validity and until the conclusion of the contract, the signing of the procurement agreement by the successful winner is a confirmation of his consent for the extension of the bid. Upon the usage of the "Request for quotations" mode and "Procurement from the single source," procurement contract may be signed at any time after the completion of the selection of the winner, supplier (contractor). "

28. Article 46:

- To delete paragraph 8 of the Part 1;

- To rephrase the second sentence in the Part 2 as follows:

"Procuring organization develops and submits quarterly consolidated report to the authorized body as per the report template prescribed by the authorized body.";

- To delete word "eighth" in the Part 4;

- To replace word "preparation" with Part 6, with the wording "signing of the contract" in the Part 6.

29. To replace the wording "maximum threshold amount" with "two thousand five hundred calculation indexes" in the Part 1 of the Article 70."

30. To replace wording "information about the contract price" with the wording "report on the public procurement procedure in accordance with the Article 46 of the present Law" in the Part 4 of the Article 74.

31. Article 79:

- To rephrase Part 1 as follows:

1. Participants of public procurement procedures are entitled, before the conclusion of the procurement contract, to file complaint to the procuring entity and/or authorized body. Conclusion of the contract does not limit the right for the subsequent submission of complaints to the authorized authority";

- To delete wording "within 15 days after the announcement of the bidding results" from the Part 2 of the first sentence and the second sentence;

- To replace number "6" with number 5" in the second paragraph of the Part 3 and to delete third paragraph.

32. To replace wording "rendering of decision on selection made" with the following wording "conclusion of contract" in the Part 1 of the Article 80.

Article 2. This Law shall enter into force after its official publication.

President  
Republic of Tajikistan

Emomali Rahmon

Dushanbe  
April 16 2012, 9 815

RESOLUTION OF THE MAJLISI NAMOYANDAGON MAJLISI OLI OF THE REPUBLIC  
OF TAJIKISTAN