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Amendments to Certain Provisions of the Tenders Law

Firstly: The texts of Article (6), the second paragraph of Article (14), the first paragraph of Article (15), and Article (31) of the aforementioned Tenders Law are replaced by the following texts:

Article (6)

Employees of entities subject to the provisions of this Law, their spouses, and their relatives up to the second degree may not submit bids or offers directly or indirectly to those entities. They shall also not be contracted with for the purchase of items or be assigned to execute works or provide services, without prejudice to the Law on Protection of Public Funds and Avoidance of Conflict of Interest issued by Royal Decree No. 112 / 2011. Exceptionally, and in cases of necessity the purchase of their publications and artistic works or commissioning them to produce such works may be authorized by a reasoned decision of the head of the concerned entity for amounts not exceeding five thousand Omani Riyals and by the Tenders Board for amounts exceeding that, provided that they do not participate in any manner form in the commissioning procedures.

Article (14)

Second Paragraph

In all cases, the member must recuse himself from considering the tender if he, his spouse, or one of his relatives up to the second degree is the owner of the submitted bid or owns a share in it, or is a member of the board of directors of the company submitting the bid or an employee, agent, or guarantor thereof.

Article (15)

First Paragraph

As an exception to the text of Article (8) of this Law, an internal committee in the concerned entity, chaired by the head of that entity or his delegate, shall assume the powers of the Board with respect to tenders whose value does not exceed one million Omani Riyals.

Article (31)

Comparisons among bids shall be conducted to select the best bid according to the technical and financial criteria and bases specified in the tender documents. If the concerned entity deems it necessary to exclude one or more bids, its opinion must be reasoned. The Board is not bound in the award decision to accept the lowest or any other bid.

Secondly: A new article numbered (6 bis) is added to the aforementioned Tenders Law with the following text:

Article (6 bis)

Contractors and consultants who have a direct or indirect interest in any project may not participate in the works related to that project.