

*Government Notice No. 281 of 2021***THE BUILD OPERATE TRANSFER PROJECTS ACT****Regulations made by the Minister under section 12 of  
the Build Operate Transfer Projects Act****1. Citation**

These regulations may be cited as the Build Operate Transfer Projects (Prescribed Threshold) Regulations 2021.

**2. Interpretation**

In these regulations –

“Act” means the Build Operate Transfer Projects Act.

**3. Prescribed threshold**

(1) For the purpose of sections 5B(3)(a) and (b), 7(1)(da), 10(1) and 10A of the Act, the prescribed threshold shall be 300 million rupees.

(2) The prescribed threshold under paragraph (1) shall be in relation to an upfront financial contribution to the capital cost of a project by the contracting authority.

**4. Selection of short-term consultant**

For the purpose of section 5B(1)(b) of the Act, the prescribed value shall be one million rupees.

**5. Selection of technical advisory firm and private party**

(1) A contracting authority shall, for the purpose of –

- (a) section 5B(3)(a) of the Act, set up a procurement committee to hire the services of a technical advisory firm;
  - (b) section 7(1)(da) of the Act, set up a procurement committee to select a private party.
- (2) The procurement committee referred in paragraph (1) –
- (a) shall comprise representatives from the contracting authority and that of the technical advisory firm, if any;
  - (b) may, depending on the complexity of a project, have recourse to experts outside the contracting authority;
  - (c) shall ensure that all procurement proceedings are conducted in accordance with the Act, the regulations made under the Act and other established procedures;
  - (d) shall, when required, set up a negotiation committee to negotiate the contract with the preferred bidder; and
  - (e) make recommendations for the selection of a technical advisory firm or private party.

## **6. Revocation**

The Build Operate Transfer Projects (Prescribed Threshold) Regulations 2020 are revoked.

## **7. Commencement**

These regulations shall be deemed to have come into operation on 30 September 2021.

Made by the Minister on 15 November 2021.

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