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M U E L L E R

PEMEX new rules for public tenders

On August 19, amendments to public tender provisions for Petróleos Mexicanos (“PEMEX”) and its subsidiaries were published in the Federal Official Gazette (“Amendments”), adding a new rule for public procurement, as well as requirements for adjusting contracts to the current Petróleos Mexicanos Law, where concluded before its entry into force.

Amendments provide that, if convenient for PEMEX purposes, allocations resulting from public tenders may be exclusively notified to the assigned participant, who in turn shall deliver the necessary documents for the conclusion of the contract.

Furthermore, Amendments provide that contracts, agreements and other legal acts carried out by PEMEX and its subsidiaries in accordance with regulations prior to the current Petróleos Mexicanos Law, may be adjusted to it, its regulations and general provisions. The Amendments set forth the requirements for such purpose:

1. Justified advantages of aligning contracts and agreements with the current Petróleos Mexicanos Law and other applicable laws.
2. Authorization from the CEO of the subsidiary concerned, its CCO or the chief legal officer of PEMEX, as the case may be.
3. Conclusion of an amending agreement, reviewed by the legal area of PEMEX.
4. Report to PEMEX Board of Directors.

It should be noted that transitory articles of Petróleos Mexicanos Law provide that all contracts and agreements concluded before its entry into force would be observed in all agreed terms, except where adjusted to such Law, as now established in the Amendments, in force as of August 20.

For information regarding this subject, please do not hesitate to contact us at 9178 7000 or through the following e-mail: contacto@ritch.com.mx