

GOVERNMENT OF ASSAM
FINANCE (ESTABLISHMENT-B) DEPARTMENT,
2nd FLOOR, F-BLOCK, JANATA BHAWAN,
DISPUR, GUWAHATI -06
ADVISORY

ECF No. 274988:

20-12-2024

The Finance Department is pleased to issue the following set of guidelines for all procuring entities to follow while asking for historical documents from bidders as clarification after the opening of bids. All procuring entities are hereby advised to follow the below set of guidelines and all administrative departments are asked to circulate this advisory among its subordinate offices.

General guidelines:

- i. The minor(non-material) deviation means any deviation that don't materially alter or depart from the characteristics, terms and conditions and other requirements set out in the bidding document. Minor or non-material error or omission constitute an error or oversight in the bidding document that can be corrected without any changes in the substance of the bid.
- ii. In case of minor non-conformities, the Bid Evaluation Committee shall seek information and documents with respect to those non-conformities which are historical in nature. Example: missing pages/ attachment or illegibility in a submitted document; non-submission of requisite number of copies of a document or documents issued by an authority, etc.
- iii. No substantive changes to qualification information or to a submission, include changes aimed at making an unqualified bidder, qualified or an unresponsive submission, responsive shall be sought, offered, or permitted under any circumstances. Example: If a bidder has not submitted the Manufacturer's Authorisation Letter which is an eligibility criterion along with the bid same should not be asked for as a minor deficiency to qualify the bidder.
- iv. The shortfall information or documents should be sought only in case of historical documents which pre-existed at the time of the tender opening and which have not undergone change since then. These should be called only on basis of the recommendations of the Tender Committee. Example: Audited Statement of Accounts, PAN Card, GST Registration Certificate,

Incorporation/Registration Certificate with the authority, etc.

- v. So far as the submission of documents is concerned with regard to qualification criteria, after submission of the tender, only related shortfall documents should be asked for and considered. For example, if the bidder has submitted a supply/ service order without its completion/performance certificate, the certificate can be asked for and considered. However, no new supply/ service order should be asked for so as to qualify the bidder.
- vi. The procuring entity can only seek documents and information pertaining to a minor deficiency which is apparent from the bid already submitted. Example: if the bidder has not submitted the turnover certificate, then the same cannot be sought under Rule 23(15) of Assam Public Procurement Rule, 2020 as this can't be interpreted as minor deficiency. However, if the bidder has submitted the turnover certificate but failed to submit the audited Statement of Accounts, then the same can be sought.

Commissioner & Secretary to the Government of Assam,
Finance Department

Memo No. 274988- A

20-12-2024

Copy for information to:

1. All Administrative Departments/ Heads of Department, Assam
2. All Addl. Chief Secretaries/ Principal Secretaries/ Commissioner & Secretaries/ Secretaries to the Govt. of Assam, Dispur
3. The Commissioner & Secretary to the Governor of Assam, Kharghuli, Guwahati
4. The Chief Electoral Officer, Assam, Dispur for information
5. All Commissioners of Divisions, Assam
6. The General Administration Department, Dispur, Guwahati-6 with a request to circulate the O.M to the Resident Commissioner, Assam Bhawan, New Delhi, all the District Commissioners/ Sub Divisional Officers (Civil), Assam and OSD/Liaison Officer, Assam House, Shillong/ Assam House, Mumbai
7. The Finance (Estt.-B) Department with a request to circulate the same to all the Sr. Financial Advisers/ Financial Advisers/ Finance & Accounts Officers/ Treasury Officers, Assam

8. The Trade Adviser to the Govt. of Assam, Assam House, 8 Russel Street, Kolkata
9. The Judicial Department with a request to circulate the O.M to all District & Session Judges in Assam
10. The PPS to the Hon'ble Chief Minister, Assam, Dispur
11. The PSs to all Hon'ble Ministers, Assam, Dispur
12. The PS to Chief Secretary, Assam, Dispur
13. The Principal Secretary, Karbi Anglong Autonomous Council, Diphu/ N.C. Hills Autonomous Council, Haflong
14. The Principal Secretary, Bodoland Territorial Region, Kokrajhar/ Rabha Hasong Autonomous Council, Dudhnoi, Goalpara/ Lalung (Tiwa) Autonomous Council, Morigaon/ Missing Autonomous Council, Gogamakh, Dhemaji
15. SPPP Manager for uploading

e-signed

Commissioner & Secretary to the Government of Assam,
Finance Department