

Frequently Asked Questions (FAQs)

ON
THE ASSAM PUBLIC PROCUREMENT ACT (APPA 2017)
AND
THE ASSAM PUBLIC PROCUREMENT RULES (APPR 2020)

Disclaimer

If there is any conflict between the FAQ and the provisions in the APPA 2017 and APPR 2020, the provisions in the APPA-2017 and APPR-2020 shall prevail

Updated on: 30th July, 2022

Sl.	Query	Response
1.	What is Administrative Approval?	<p>Please refer to the Assam Financial Rules (AFR), 1939 and the Delegation of Financial Powers (DFP) Rules, 2022.</p> <p>“Administrative approval” – This term denotes the formal acceptance, by the administrative department concerned of the proposals based on preliminary plans for incurring any expenditure in the Public Works or any other department of Government on a work initiated by, or connected with, the requirements of such administrative department. It is, in effect, an order to the Public Works or such other Department of Government to execute certain specified works at a stated sum to meet the administrative needs of the department requisitioning / requiring the work.</p>
2.a	What is “Administrative Department”?	<p>Please refer to the DFP Rules, 2022</p> <p>“Administrative Department” - means the Secretariat Department to which the subject under consideration is assigned for disposal under the Assam Rules of Executive Business, 1968.</p>
2.b	What is “Technical Sanction”	<p>Please refer to the AFR, 1939 and the DFP Rules, 2022</p> <p>“Technical Sanction” (TS) has the same meaning as in the Assam Financial Rules, 1939.</p> <p>For every works (except petty works and repairs, and repairs for which a lump sum provision has been sanctioned), a detailed estimate must be prepared for the ‘sanction’ of competent authority and this ‘sanction’ is known as the "technical sanctions" to the estimate (AFR 240).</p> <p>“Technical sanction” -is the approval to the detailed designs, plans, specifications and quantities by the competent Engineering authority, which is required to be given to any work (other than petty works, petty repairs, and other repairs for which a lump sum provision has been sanctioned by the Competent Authority) before its commencement</p>

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3.	What is a “Bid”?	<p>Please refer to the Section 2(a) of the APPA, 2017 and Rule 2(1)(d) of the APPR, 2020</p> <p>It means a formal offer made in pursuance of an invitation by a procuring entity and includes any tender, proposal (technical or financial) or quotation.</p>
4.	What is “Notice Inviting Bids”(NIB)?	<p>Please refer to the Section 2(d) of the APPA, 2017 and Rule 21(5)(v) of the APPR, 2020</p> <p>Notice Inviting Bids (NIB) [or Notice Inviting Tender (NIT) or Invitation for Bids (IFB) or Invitation to Bid (ITB) or Notice Inviting Tender (NIT)] is a document published by a procuring entity inviting bids for procurement of specific goods, works, or services relating to a subject matter of procurement</p>
5.a	What is Bid Security?	<p>Please refer to the Section 2(e) of the APPA, 2017.</p> <p>"Bid Security" means a security provided to the procuring entity by a bidder for securing the fulfilment of any obligation in terms of the provisions of the bidding documents.</p>
5.b	What should be the amount of Bid Security?	<p>Please refer to the Rule 29(9)(i) of the APPR, 2020.</p> <p>The amount of bid security is generally, between 2% to 5% of the estimated value of procurement, and the amount so calculated and rounded off to nearest thousand rupees, should be specified in the bidding documents</p>
5.c	In case of two envelop bids, bid security shall be submitted with Technical or Financial Bid?	<p>Please refer to the Section 14(iv) of the APPA, 2017.</p> <p>In case of two envelop bids, bid security shall be submitted in or along with the first envelope containing the technical bid</p>
5.d	When shall be the Bid Security deposited by a bidder forfeited to Govt.?	<p>Please refer to the Rule 29(2) of the APPR, 2020.</p> <p>The Bid Security deposited by a bidder shall be forfeited:</p> <p>a) if bidder withdraws or modifies its bid after opening of bids;</p> <p>or</p>

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		<p>b) if bidder, after being selected for award of contract, does not sign the Contract or does not deposit the required performance security within the specified period; or</p> <p>c) if bidder breaches any provision of code of integrity prescribed for bidders specified in the Assam Public Procurement Act and the Rules; or</p> <p>d) in two-stage bidding, if bidder withdrawing from the bid fails to declare its intention to withdraw, citing the reasons thereof, at least the day before the date fixed for submission of final bid</p>
5.e	<p>If a bidder refuse to extend Validity of his bid beyond the original stipulated validity, should the amount of Bid Security be forfeited to Govt.?</p>	<p>Please refer to the Rule 23(4)(ii) of the APPR, 2020.</p> <p>Prior to the expiry of the period of validity of bids, the procuring entity, in exceptional circumstances, may request the bidders to extend the bid validity period for a specified additional period of time. A bidder, by option, may refuse the request and such refusal shall be treated as withdrawal of bid <u>but in such cases the bid security shall not be forfeited.</u></p>
6.	<p>Who is a Competent Authority?</p>	<p>Please refer to the Section 2(f) of the APPA, 2017 and Rule 2(1)(f) of the APPR, 2020</p> <p>A person, body of persons, organs or an agency competent to take administrative actions.</p>
7.a	<p>What is a “Construction Committee”?</p>	<p>Please refer to the Rule 2(g) of the APPR, 2020</p> <p>Construction Committee means a quasi-governmental committee, comprising inter-alia at least two Government officials of Grade III level or above, constituted by an authorized district officer for implementation of various schemes that are predominantly of local nature and which require local monitoring, provided they are recognized under the relevant scheme guidelines.</p>
7.b	<p>What kind of works can be</p>	<p>Please refer to the Rule 24(N) of the APPR, 2020.</p>

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	executed under “Construction Committee”?	Construction Committee may take up execution of works under the following schemes viz. MP-LADS / MLA-ADS / Schemes under Untied Funds, etc.
8.a	What is “Emergency Procurement”?	<p>Please refer to the Section 3(4)(b) of the APPA, 2017 and Rule 2(1)(i) and 24(C)(vii) of the APPR, 2020.</p> <p>Section 3(4)(b): “Emergency procurement” are those procurements that are necessary for the management of any ‘disaster’, as defined in section 2(d) of the Disaster Management Act, 2005 (<i>i.e. “disaster” means a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or man-made causes, or by accident or negligence which results in substantial loss of life or human suffering or damage to, and destruction of, property, or damage to, or degradation of, environment, and is of such a nature or magnitude as to be beyond the coping capacity of community of the affected area</i>).</p> <p>Rule 2(1)(i): “Emergency procurement” means procurement of Goods, Services or works that need to be taken up in response to recent or imminent, natural or man-made disasters and calamities to restore public facilities or services which are crucial for reinstating normal public life.</p> <p>Rule-24(c)(vii)]: In emergent situations arising in a district of the State out of floods and other calamities, natural or otherwise, or urgency for upholding human rights, the relevant subject matter may be procured from a single source at or below the ceiling rates to be fixed by a District Emergency Procurement Committee.</p>
8.b	What shall be the composition of the District Emergency Procurement Committee?	<p>Please refer to the Rule 24(C)(vii) of the APPR, 2020.</p> <p>The composition of the District Emergency Procurement Committee shall be as follows: -</p> <ul style="list-style-type: none"> a) Deputy Commissioner – Chairperson b) District Officer of the Concerned Department– Member Secretary c) Sub-divisional Officers of Civil Sub-division – Members

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		<p>d) Finance and Accounts Officer – Member</p> <p>e) Concerned Technical Officer – Member</p>
9.	What is ‘e-procurement’?	<p>Please refer to the Rule 2(g) of the APPA, 2017.</p> <p>"e-procurement" means the electronic (process of procurement) where in the physical tendering activity is carried out online using the Internet and associated technologies.</p>
10.	Who is a “Financial Advisor”?	<p>Please refer to the Rule 2(k) of the APPR, 2020.</p> <p>Senior most officer responsible for financial and / or accounts management in a procuring entity, or an Administrative Department</p>
11.	What is “International Competitive bidding” (ICB)?	<p>Please refer to the Rule (1)(m) of the APPR, 2020.</p> <p>It is a bidding process in which qualified bidders from all over the world, except those having nationality of a country declared ineligible by the Central Government, are allowed to participate.</p>
12.	What is “National Competitive Bidding” (NCB)?	<p>Please refer to the Rule 2(1)(n) of the APPR, 2020.</p> <p>It is a bidding process in which qualified bidders within India only are allowed to participate</p>
13.	What is “Sanction”?	<p>Please refer to the Rule 2(1)(o) of the APPR, 2020</p> <p>“Sanction” means financial sanction and has the same meaning as in the Assam Financial Rules, 1939, as amended time to time</p>
14.	What are “urgent works”?	<p>Please refer to the Rule 2(1)(s) of the APPR, 2020</p> <p>“Urgent works” as distinct from ‘emergency works’, means works which require immediate commencement for completion within a very short, compressed time schedule or which need to be taken up on priority basis in the public interest to ensure the safety and security of life or prevention of loss of public assets.</p>
15.	What is a “Start-up”?	<p>Please refer to the Rule 2(1)(t) of the APPR, 2020</p>

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		<p>“Start-up” means any entity recognized as a start-up by the Government of Assam or the Government of India.</p> <p><i>[A start-up is a company that's in the initial stages of business/ first stage of its operations, who want to develop a product or service for which they believe there is demand. These companies generally start with high costs and limited revenue, often financed by its entrepreneurial founders during the initial starting period].</i></p>
16.	<p>What is “Conflict of interest”?</p>	<p>Please refer to the Rule 6 of the APPR, 2020</p> <p>Conflict of interest for a procuring entity or its personnel and bidders is considered to be a situation in which a party has interests that could improperly influence the performance of its duties or responsibilities, contractual obligations, or compliance with applicable laws and regulations</p>
17.	<p>What are “Vendor and Contractor Register”; “Procurement Register”; “Purchase Order Guard Register”; “Stock Register” ; “Asset Register” and “Liability Register”?</p>	<p>Please refer to the Section 8(2) of the APPA, 2017 and Rule 9 of the APPR, 2020</p> <p>These are registers or databases related to procurement which are required to be maintained by every procurement entity following electronic or physical format as official records and ensure their safe custody as per provision of sub-section (2), of section 8 of the Act</p>
23.	<p>What is “Code of Integrity”?</p>	<p>Please refer to the Section-11 of the APPA, 2017 and Rule 20 of APPR, 2020</p> <p>Section-11 laid down the Code of integrity for procuring entity and bidders, which prohibits them from indulging in any improper and illegal activities for personal gain.</p>

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		Rule-12 of inter alia mentions that an unimpeachable standard of integrity shall be maintained as prescribed under Section 11 of the APPA, Central Civil Services (Conduct) Rules-1964, All India Services (Conduct) Rules-1968 or the Assam Civil Service (Conduct) Rules-1965
24.	What is ‘Single Envelope Bid’?	Please refer to the Rule 14 of the APPR, 2020. ‘Single Envelope Bid’ is a way of receiving of bids in which the technical, quality and performance aspects, commercial terms and conditions and the financial aspects including the price are contained in a single envelope.
25.	What is “Two Envelope Bid”?	Please refer to the Rule 14 of the APPR, 2020. ‘Two Envelope Bid’ is a way of receiving of bids in which the techno commercial aspects of the bid, that include, the documents/information relating to the technical, quality, bid security and commercial terms & conditions are placed in one envelope (called ‘Technical Bid’) and the financial terms including price and relevant discounts are placed in another separate (envelope called “Financial Bid”).
26.	What is the “Criteria of Bid Evaluation”?	Please refer to the Section 14 of the APPA, 2017 and Rule 15 of the APPR, 2020. The criteria for bid evaluation shall be detailed by the procuring entities in the bidding documents based on the provisions in the aforementioned Section and Rule.
27.	When “Price Negotiations” are permitted?	Please refer to the Section 15 of the APPA, 2017 and Rule 16 of the APPR, 2020 According to Section-15 of the APPA, 2017, no price negotiation shall be held by a procuring entity with a bidder with respect to a bid presented by him except as otherwise provided in Section 31 (2)(b) or Section 35 of the Act or in such circumstances and subject to such conditions as may be prescribed. The Rule 16 of the APPR, 2020 <i>inter alia</i> mentions that Negotiations may however be undertaken as per Section 15 of the Act, if so approved by the competent authority, only with

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		<p>the lowest or most advantageous responsive bidder, and with no other bidder, under the following circumstances viz. (a) when ring, pool or cartel prices have been quoted or are suspected to have been quoted by the bidders for a subject matter of procurement; and (b) when the rates quoted vary considerably or are unreasonable or higher than the prevailing market rates.</p> <p>According to the APPR, 2020 price negotiations are allowed in the following procurement methods viz. Single Source Procurement or Single Source Selection, Competitive Negotiations, Swiss Challenge, Parallel Rate Contracts, Quality Based Selection (QBS), and Consultants' Qualifications Selection (CQS)].</p>
28.	<p>What is “Pre-Qualification” and "Pre-Qualification Documents"?</p>	<p>Please refer to the Section 2(s), Section 2(t) and Section-18 of the APPA, 2017 and Rule 18 of the APPR, 2020.</p> <p>Section 2(s) - "pre-qualification" means the procedure set out to identify, prior to inviting bids, the bidders that are qualified (<i>to participate in a bidding process</i>); and</p> <p>Section 2(t)- "pre-qualification documents" means the documents issued by a procuring entity, including any amendments thereto, that set out the terms and conditions of the pre-qualification proceedings and includes the invitation to pre-qualify;</p> <p>Section 18- Pre-qualification of bidders should be done in technically complex; strategic and high value procurements as prescribed in rules and guidelines made hereunder a procuring entity may engage in a pre-qualification process, with a view to identifying, prior to inviting bids, the bidders that are qualified for any specified period of time.</p> <p>Rule 18- lays down the norms relating to the Pre-qualification of bidders.</p>
29.a	<p>What is “Public Procurement”?</p>	<p>Please refer to the Section 2(u) of the APPA, 2017.</p>

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		<p>Section 2(u) of the Assam Public Procurement Act, 2017 defines "procurement" or "public procurement" as the acquisition by purchase, lease, license or otherwise of works, goods or services, including award of Public Private Partnership projects, by a <u>procuring entity</u> whether directly or through an agency with which a contract for procurement services is entered into, <u>but does not include any acquisition without consideration</u>, and "procure" or "procured" shall be construed accordingly.</p>
29.b	<p>What is “Procuring Entity”</p>	<p>Please refer to the Section 3(2) of the APPA, 2017.</p> <p>“procuring entity” means any - department of the State Govt. or its subordinate office; PSU owned/controlled by the State Govt.; entity whose expenditure is met from the Consolidated Fund of the State; entity or board or corporation or authority or society or trust or autonomous entity established or constituted by an Act of the State Legislature or an entity owned or controlled by the State Govt.; entity which the State Govt. may notify to be a procuring entity for the purpose of this Act, procurement support agency/ agent/consultant involved in procurement.</p>
30.	<p>Who is a ‘Bidder’?</p>	<p>Please refer to the Section 2(b) of the APPA, 2017.</p> <p>“Bidder" as any person, company, firm, agency, institution, etc. participating in a procurement process of a procuring entity for procurement of Goods, Works or Services.</p>
31.	<p>Who is a “Registered Bidder”?</p>	<p>Please refer to the Section 2(za) and Section 19 of the APPA, 2017 and Rule 19 of the APPR, 2020.</p> <p>Section 2(za): "registered bidder" is a bidder who is on a list of registered bidders of the procuring entity maintained under Section 19 of the Act.</p> <p>Rule 19: <i>Inter alia</i> mentions that The procuring entity may prepare a registered panel of eligible bidders of good conduct and the bidders so empanelled shall be listed with the procuring entity as registered bidders.</p>

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32.	What are the “Conditions for removal of registered bidders from list”?	<p>Please refer to the Section 19(4) of the APPA, 2017 and Rule 20 of the APPR, 2020.</p> <p>Section 19(4) inter alia mentions that the State Govt. may prescribe the procedure and conditions in the rules and guidelines for removal of registered bidders from list of registered bidders.</p> <p>Rule 20 of APPR, 2020 provides the norms relating to removal from list of registered bidders.</p>
33.	What is a ‘Late Bid’?	<p>Please refer to the Rule 23(7) of the APPR, 2020.</p> <p>“Late bids” are those bids which arrive by post or delivered by hand after the deadline for submission of bids.</p> <p>In case of e-procurement the portal/system do not allow any bids to be uploaded after the deadline for submission of bids.</p>
34.	What is “Deviation” in terms of bidding documents?	<p>Please refer to the Rule 23(13) (ii)(a) of the APPR, 2020.</p> <p>“Deviation” in terms of bidding documents means a departure (in the bid submitted) from the requirements specified in the bidding documents</p>
35.	What is “Reservation” in bids?	<p>Please refer to the Rule 23(13) (ii)(b) of the APPR, 2020.</p> <p>“Reservation” in terms of bids means putting conditions or withholding (by the bidder) from complete acceptance of the terms & conditions and other requirements specified in the bidding documents.</p>
36.	What is “Omission” in terms of bidding documents?	<p>Please refer to the Rule 23(13) (ii)(c) of the APPR, 2020.</p> <p>“omission” is the failure (on the part of the bidder) to submit part or all of the information or documentation required in the bidding documents</p>
37.	What is “Open Competitive Bidding”?	<p>Please refer to the Section 29 of the APPA, 2017 and the Rule 21(5)(v) and Rule 24(A) of the APPR,2020.</p> <p>‘Open Competitive Bidding’ emanate from ‘Transparency’ which is one of the fundamental principles of public procurement as per Section 4 of the APPA.</p>

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		<p>Section 29 of the APPA mentions that every procuring entity shall prefer the open competitive bidding as the most preferred method of procurement to be followed.</p> <p>In this method, the procuring entity invites bids giving the widest possible publicity as specified in Rule 21(5)(v), with no restriction on participation of eligible bidders. This includes eligible bidders not registered with the procuring entity as well as foreign bidders bidding in Indian rupees.</p>
38.	<p>What is “Limited Bidding”?</p>	<p>Please refer to the Section 30(1) and Section 6 of the APPA, 2017 and the Rule 21(5)(v) and Rule 24(B) of the APPR,2020.</p> <p>Limited Bidding is a procedure for obtaining bids only from a limited number of Bidders.</p> <p>Under conditions specified in the Section 30(1) or Section 6 of the APPA and Rule 24(B) of the APPR, and after recording the specific reasons and circumstances thereof, a procuring entity may issue invitation to bid to only a limited number of bidders. However, all bidders fulfilling the qualification and limitation criteria shall be allowed to participate in the bidding process irrespective of whether any invitation was issued to them or not. From amongst the bids submitted, the most responsive bid is selected.</p>
39.	<p>What is “Single Source Procurement”?</p>	<p>Please refer to the Section 31 of the APPA, 2017 and the Rule 24(C) of the APPR, 2020.</p> <p>Single Source Procurement is a procedure for obtaining bid only from a single Bidder under conditions specified in Section 31 of the APPA and Rule 24(C) of the APPR, and after recording the specific reasons and circumstances thereof.</p>
40.	<p>What is “Two-Stage Bidding”?</p>	<p>Please refer to the Section 32 of the APPA, 2017 and the Rule 24(D) of the APPR, 2020.</p> <p>In a two-stage bidding procedure, un-priced techno-commercial proposals are invited first. In the second stage bidders are invited to submit technical (updated) and financial proposal or only financial proposal.</p>

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		<p>In some instances, as mentioned in the Act and the Rules procurement entity may opt for two-stage bidding.</p> <p>In the first stage, proposals containing the technical aspects including design, technology, professional/ technical competencies and qualifications of bidders etc. Are sought from the bidders, without asking for bid price. Bidders whose 1st stage proposals are found to be responsive are selected for 2nd stage.</p> <p>In the 2nd stage, only the selected bidders of the first stage are invited to submit their detailed technical and financial proposals and after evaluation against a given set of criteria the most responsive bid is selected.</p>
41.	<p>What is an “Electronic Reverse Auction”?</p>	<p>Please refer to the Section 2(h) and 33 of the APPA, 2017 and the Rule 24(E) of the APPR, 2020.</p> <p>“Electronic Reverse Auction” is an online real- time purchasing technique to select the successful submission, which involves presentation by bidders of successively lowered bids during a scheduled period of time and the automatic evaluation of bids.</p> <p>It is a web-based procurement software tool that allows potential suppliers to compete online and in ‘real time’ by providing prices for the goods/services under auction.</p>
42.	<p>What is “Request for Quotations”?</p>	<p>Please refer to the Section 34 of the APPA, 2017 and the Rule 24(F) of the APPR, 2020.</p> <p>“Request for Quotations” is a method of procurement wherein quotations in sealed envelopes are requested simultaneously from as many potential bidders as practicable, <u>subject to a minimum of three</u>, for submission within a given date and time, provided the potential bidders are genuine, having clear individual established identity and not a sister concern of one another. The successful quotation shall be the lowest priced quotation meeting the needs as set out in the request for quotations.</p> <p>Subject to the provisions contained in section 34 of the Act, a procuring entity may adopt the ‘request for quotations’ method</p>

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		for procurement, only if the estimated cost or the value of the subject matter of procurement is less than Rs.1.0 lakh (Rupees One lakh) on one occasion, but it shall not exceed Rs.5.0 lakh (Rupees Five Lakh) in a financial year [Rule 24(F)(i)]
43.	What is “Spot Purchase”?	<p>Please refer to the Section 34(3) of the APPA, 2017 and the Rule 24(G) of the APPR, 2020.</p> <p>“Spot Purchase” is a method of procurement, wherein a committee of minimum three members does the purchase directly from the market, provided the estimated cost or the value of the subject matter of procurement is less than Rs.1.0 lakh (Rupees One lakh) on one occasion. [Section 34(3) and Rule24(G)(i)]</p> <p>The committee shall survey the market to ascertain the specifications, quality and reasonableness of rate with reference to the wholesale market price, identify the appropriate supplier and shall certify that the goods and services purchased through the spot purchase method are commensurate with the prevailing market rates so as to ensure that the procurement does not reflect any unfair advantage or violate the Code of Integrity. Records of the authorised dealers, vendors, wholesalers approached and the price quoted by them shall be kept.</p>
44.	What are “Competitive Negotiations”?	<p>Please refer to the Section 35(A) of the APPA, 2017 and the Rule 24(H) of the APPR, 2020.</p> <p>This procurement method may be used when ‘Open Competitive Bidding’ is not practicable owing to <u>urgency brought about by unforeseen events</u> or where procurement involves goods/ materials such as oilseeds, cotton, livestock, etc. whose prices fluctuate frequently.</p> <p>Procurement shall be done through a purchase committee of the procurement entity. The Purchase committee conducts competitive negotiations with not less than three potential bidders, in a non-discriminatory manner, on one-on-one basis.</p>

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		<p>The committee then decide the best and final offers received. Final bids received are not negotiated any further, and are evaluated to determine lowest or most advantageous bid conforming to the agreed terms.</p> <p>The purchase committee shall record a certificate to effect that it is satisfied that the subject matter of procurement is of requisite specifications and quality, and are priced at the prevailing dealer/wholesale market rate</p>
45.	What is “Rate-Contract”?	<p>Please refer to the Section 2(z) and Section 36(1) of the APPA, 2017 and the Rule 24(I) of the APPR, 2020.</p> <p>Section 2(z): "Rate Contract" means an agreement between a procuring entity and one or more bidders which specifies the terms and conditions including the price, for the supply of a subject matter of procurement required on a recurring basis.</p> <p>Rule 24 (I)(1)(ii): Procedure consist of two phases. In the first phase, rate contracts shall be concluded through Open Competitive Bidding without any commitment of quantum of procurement. In the second phase, procurement of the particular subject matter in the required quantities may be made from time to time by issue of supply or work orders at those rates during the period of the rate contract.</p>
46.	What are “Parallel Rate Contracts” ?	<p>Please refer to the Rule 24(I)(vi) of the APPR, 2020.</p> <p>Rule 24(I)(vi): If the quantity of the subject matter of procurement required is beyond the capacity of the lowest bidder or the subject matter of procurement is of a critical or vital nature, rate contracts may be entered with more than one bidder in the order of their standing in the final evaluation of bids <u>but at the successful lowest bid rate</u> as parallel rate contracts.</p>
47.	What is Government e-Market (GeM)?	<p>Please refer to the Section 28(i) and Section 36(1) of the APPA, 2017 and the Rule 24(I)(2) of the APPR, 2020.</p>

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		<p>Government e-Market Place (GeM) is an electronic and online procurement process through a portal of the Government of India.</p> <p>GeM is a one stop portal to facilitate online procurement of common use goods & services required by various Government Departments/ Organizations/ PSUs. Government of Assam has signed an MOU on 11 July, 2017 with Department of Commerce, Ministry of Commerce & Industries, Government of India for use of GeM for procurement of goods and services. GeM aims to enhance transparency, efficiency and speed in public procurement. It provides the tools of e-bidding, reverse e-auction and demand aggregation to facilitate the government users achieve the best value for their money.</p> <p>GeM is hosted by GeM SPV (Special Purpose Vehicle), a 100 per cent Government-owned, non-profit company under the Ministry of Commerce and Industries, and the online procurement process on GeM is end to end from placement of supply order to payment to suppliers.</p>
48.	<p>What is “Framework Agreement Procedure” and “Framework Agreement”?</p>	<p>Please refer to the Section 2(i) and Section 2(j) and Section 36(1) of the APPA, 2017 and the Rule 24(J) of the APPR, 2020.</p> <p>Section 2(i)- Framework Agreement Procedure: means a procedure conducted in two stages: a first stage to select supplier(s) / contractor(s) to be a party(ies) to a framework agreement with a procuring entity, and a 2nd stage to award contract (call-off contracts) under the framework agreement to supplier(s) or contractor(s). There is no guarantee of award of any call-off contracts under the framework agreements.</p> <p>Section 2(j)- Framework Agreement: means an agreement between the procuring entity and the selected supplier(s) or contractor(s) concluded upon completion of the first stage of the framework agreement procedure.</p> <p>Rule 24(J)(i) and 24(J)(iii) - When it is required to procure a subject matter of procurement over a period of time but the quantity or extent and timing cannot be specified in advance,</p>

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		<p>Framework Agreement Procedure may be followed for entering into a long-term Framework Agreement (not more than three years, with the option to extend further by not more than one year) with suppliers or contractors or consultancy/non-consultancy services setting the scope, terms and conditions under which such procurement can be made at any time throughout the term of such agreement.</p>
49.	<p>What is the “Swiss Challenge Method”?</p>	<p>Please refer to the Section 2(zf) and Section 35(B) of the APPA, 2017 and the Rule 24(M) of the APPR, 2020.</p> <p>Section 2(zf)- "Swiss Challenge Method (SCM)" means a method of Procurement in which an unsolicited proposal for a government project is received and third party(ies) are allowed to challenge the original proposal through open bidding, and then the original proponent is given a chance to counter-match the most advantageous / most competitive offer.</p> <p>Rule 24(M)(ii) - Eligible sectors: This method of procurement may not be adopted below the specified threshold value or for sectors or sub-sectors that are not notified to be eligible under SCM Method.</p>
50.	<p>What is “Earnest Security”?</p>	<p>Please refer to the Rule 24(M)(vii) of the APPR, 2020.</p> <p>Under the Swiss Challenge Method of Procurement, the project proponent, shall furnish interest-free Earnest Security amounting to a percentage of the total estimated cost of the project, as notified by the Finance Department from time to time, through bank guarantee from a scheduled bank or any other acceptable instrument with a validity period of not less than 180 days commencing from the date of receipt of the comprehensive proposal by the Administrative Department including claim period of 60 days. The validity period may be extended as mutually agreed, from time to time. The bid shall be summarily rejected if the detailed and comprehensive proposal is not accompanied with the Earnest Security.</p>

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51.	Who is a “Transaction Advisor”?	<p>Please refer to the Rule 24(M)(xiii) of the APPR, 2020.</p> <p>The Transaction Advisor is hired for a project under Swiss Challenge Method for providing technical, financial and legal advice and assisting the Administrative Department concerned in the entire process of finalization of the successful bidder and award of contract. Alternatively, an officer of the Department may be entrusted with the responsibilities of the Transactional Advisor.</p>
52.	What are “Services” or “Consulting Services” and what is the procedure for ?	<p>Please refer to the Section 2(zb) of APPA, 2017 and Rule 25 of the APPR, 2020.</p> <p>Section 2(zb)- Services means any subject matter of procurement <u>other than goods or works</u> and includes physical, maintenance, professional, intellectual, consultancy and advisory services or any service classified or declared as such by a procuring entity and does not include appointment of any person made by any procuring entity.</p> <p>Rule 25(1)(b) (Explanation-1): "Consulting Service" means any subject matter of procurement other than goods or works, except those consequential or incidental to such service or subject matter, and includes professional, intellectual, technical and advisory services or any other service classified or declared as such by a procuring entity but does not include re-engagement of a retired Government servant, not related to a specific project.</p>
53.	What are “Non-Consulting Services”?	<p>Please refer to the Rule 25 of the APPR, 2020.</p> <p>Rule 25(1)(b) (Explanation-1I): Similarly, “Non-Consulting Services," means any subject matter of procurement, other than goods or works except those consequential or incidental to that service or subject matter, that involve physical, measurable deliverables or well defined outcomes, where performance criteria or standards can be clearly identified and consistently applied.</p>

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		<p>These services include maintenance, transportation, hiring of vehicle, outsourcing management of building facilities, management, security, catering, reprography, photocopier service, janitor, office errand services, drilling, aerial photography, video recording, satellite imagery, survey, mapping, Information Technology related services like website design, maintenance, etc.</p>
54.	<p>What is “Performance Security”?</p>	<p>Please refer to the Section 27(4) of the APPA, 2017 and Rule 30 of the APPR, 2020.</p> <p>Performance security is a percentage of the contract value that is deposited with the procuring entity by the successful bidder as a guarantee to perform and execute the contract as agreed. The manner of collecting the performance security is decided by the procuring entity and is specified in the bidding documents. The performance security is returned to the contractor/ vendor at the end of the satisfactory completion of the contract including all contractual obligations related to warranty, guarantee, defect liability period, operations, maintenance etc.</p> <p>The amount of performance security shall be at least five percent of the amount and currency of the value of the supply order or work order as the case may be provided that the amount of performance security may be higher if so specified in the bidding documents</p>
55.	<p>What are “Repeat Orders”?</p>	<p>Please refer to the Rule 33 of the APPR, 2020.</p> <p>If an original supply order for a subject matter of procurement was given to a supplier of goods or services after Open Competitive Bidding, and if so provided for, in the bidding documents, repeat orders for supply of additional quantities of that subject matter of procurement may be placed with the original supplier at the same rates and on the same terms and conditions as in the original order subject to the following conditions: -</p>

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		<p>a) that the procuring entity is satisfied that initiating a new procurement shall not lead to better competitive prices and such satisfaction is recorded in writing;</p> <p>b) the value of the repeat orders shall be limited to such percentage of the original contract value as may be notified by the Finance Department from time to time;</p> <p>c) the repeat orders shall be placed within 6 months of the expiry of the original contract</p>
56.	<p>What is “Quality and Cost Based Selection” (QCBS) Method?</p>	<p>Please refer to the Rule 25 (1) to 25(6) and Rule 25(7)(a) of the APPR, 2020.</p> <p>QCBS (Quality and Cost Based Selection) is competitive method procurement for hiring consultancy service, where both quality and cost of the proposal is taken into consideration during evaluation of bids and award of contract.</p> <p>The Request for Proposals (RFP) document specifies the minimum qualifying score for the technical Proposals, and the relative weightages to be given to the quality and the cost (e.g. T70:F30, T60:F40, T50:F50 etc.). The weightage for quality shall be between 50% to 80%. The responsive proposal with the highest weighted combined score is selected for award.</p>
57.	<p>What is “Least Cost System” (LCS)?</p>	<p>Please refer to the Rule 25(7)(b) of the APPR, 2020.</p> <p>LCS is a competitive process for selection of consulting services under which the selection of the successful firm also takes into account the quality of the Proposal and the cost of the services. There is no weightage for technical score in the final evaluation and the responsive technically qualified proposal received with the lowest price or cost is selected for award.</p> <p>LCS is appropriate for assignments of a standard or routine nature where established methodologies, practices and standards exist such as audits, engineering design of non-complex works, etc.</p>

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58.	What is “Quality Based Selection” (QBS) Method?	<p>Please refer to the Rule 25(7)(c) of the APPR, 2020.</p> <p>QBS (Quality Based Selection) is also a competitive process for selection of consulting services under which the Proposal quality is evaluated without using cost as an evaluation criterion. The financial proposal of only the highest technically qualified firm is evaluated and negotiated, and is considered for award.</p> <p>QBS is appropriate for assignments:</p> <p>a) of a complex or highly specialised nature demanding high level of proficiency and innovation for which it is difficult to define a precise TOR;</p> <p>b) multi-sector feasibility studies, preparation of urban master plans, structural design of large projects having high downstream impact requiring the best available expertise; and</p> <p>c) organisational analysis and development, restructuring interventions for large Govt. systems like Agencies, Directorates, Undertakings, etc. or highly productive assignments that can be carried out in substantially different ways, such that proposals shall not be comparable</p>
59.	What is “Fixed Budget System” (FBS)?	<p>Please refer to the Rule 25(7)(d) of the APPR, 2020.</p> <p>Fixed Budget System (FBS) is a competitive process under which the selection of the successful firm takes into account the quality of the Proposal and the cost of the services. FBS is appropriate only when the assignment is simple and unambiguous, where the TOR can be precisely defined, and where the budget or fund available for the purpose is fixed and shall not be exceeded. The RFP specifies the available budget and the minimum score for the technical Proposals. The proposal with the highest technical score that meets the fixed budget requirements is considered for award.</p>
60.	What is Consultants’	<p>Please refer to the Rule 25(7)(e) of the APPR, 2020.</p>

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	<p>Qualifications Selection (CQS)?</p>	<p>Consultants' Qualifications Selection (CQS) is appropriate only for small assignments when highly specialized expertise is required or consulting firms with depth of expertise in specific areas or when recruitment time is critical and the small assignment is short-term, and when preparing and evaluating competitive proposals is unjustified.</p> <p>The procuring entity shall prepare the TOR, publish notice, as prescribed, calling for EOI and information on the experience and competence of consultants relevant to the assignment, evaluate and rank the EOIs based on the evaluation criteria and establish a short list of at least three firms. The highest ranked firm with the most appropriate qualifications and references shall be selected and invited to submit its technical and financial proposals for contract negotiations, and award contract if found acceptable. If not acceptable, the RFP shall then be sent to the next ranked firm in the shortlist and the process repeated.</p>
61.	<p>What is Single Source Selection (SSS)?</p>	<p>Please refer to the Section 31 of APPA, 2017 and Rule 24(C) and Rule 25(7)(f) of the APPR, 2020.</p> <p>Under Single Source Selection (SSS) a bid is solicited from a single prospective bidder and contract is awarded following negotiation as needed adhering to the Rule 16.</p> <p>Section 31(1) of the Act cites the circumstances when SSS procurement method can be adopted and Section 31(2) outlines the procedure.</p> <p>Rule 24(C) of APPR lays down the procedure to be followed in SSS in case of Goods, Works and non-Consulting services and Rule 25(7)(f) lays down the procedure for selection of consultancy through SSS or selection by direct negotiation.</p> <p>As per the APPA, the SSS method may be considered, if: -</p> <p>a) subject matter of procurement is available only from a particular prospective bidder, or a particular prospective bidder has exclusive rights in respect of the subject matter</p>

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		<p>of procurement, such that no reasonable alternative or substitute source exists, and the use of any other procurement method would therefore not be possible; or</p> <p>b) there is an extremely urgent need for the subject matter of procurement, and engaging in any other method of procurement would be impractical; or</p> <p>c) the procuring entity, having procured goods, equipment, technology or services from a supplier, determines that additional supplies or services must be procured from that supplier for reasons of standardization or because of the need for compatibility with existing goods, equipment, technology or services; or</p> <p>d) there is an existing contract for the subject matter of procurement which can be extended for additional goods, works or services and that the procuring entity is satisfied that no advantage would be obtained by further competition, the prices are reasonable and provisions for such extension exist in the original contract; or</p> <p>e) the procuring entity determines that the use of any other method of procurement is not appropriate for the protection of national security interests; or</p> <p>f) procurement from a particular prospective bidder is necessary in terms of sub-section (2) of section 6 of the Act (relating to Procurement Preference Policy, Assam,); or</p> <p>g) subject matter is of artistic nature; or</p> <p>h) subject matter of procurement is of such nature as requires the procuring entity to maintain confidentiality, like printing of examination papers;</p>
62.	What is “Bid Data Sheet”?	<p>Please refer to the Rule 21(c) of the APPR, 2020 and the Standard Bidding Documents (SBD) issued by the Finance Department under Rule 21(5).</p> <p>Bid Data Sheet (BDS) is a part of the Bidding Document and is an integral part of the Instructions to Bidders (ITB). The BDS</p>

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		provides specific data and modifications that complement, supplement, or amend the corresponding clauses in the ITB in the standard bidding documents keeping it relevant to the specific procurement. Whenever there is a conflict, provisions in the BDS prevail over those in ITB.
63.	What are “Bidding Forms”?	<p>Please refer to the Rule 21(e) of the APPR, 2020 and the Standard Bidding Documents (SBD) issued by the Finance Department under Rule 21(5).</p> <p>Bidding Forms are to be provided in the Bidding Document. The Forms for the Bid submission to be completed and submitted by the Bidder as part of its Bid include Qualification information form, Bid Form, Price Schedules form, Bid Security Bank Guarantee form, Performance Security Bank Guarantee form, Advance Payment Bank Guarantee form Manufacturer’s Authorization form (if applicable).</p>
64.	What is a “Rate-Bank”?	<p>Please refer to the Section 28(I) and Rule 24(L) of the APPR, 2020</p> <p>‘Rate-Bank’ is related to the Community procurement for community driven schemes. This method of procurement enables the beneficiaries to procure the schematic input item of their own choice by themselves, from a dealer selected by them, at their own preferred time and at the price specified in a ‘Rate-Bank’ established and published by the procurement entity.</p> <p>The procurement entity implementing such community driven scheme, shall establish the ‘Rate-Bank’ consisting of the names of manufacturers of the specific input items, equipment or machinery with the list of their local dealers, brands and models with corresponding prices through a transparent and open competitive process as prescribed in the rule. The procurement entity shall sign a contract with all the manufacturers included in the ‘Rate-Bank’</p>
65.	What is “Detailed	Please refer to the Rule 3(3) of the APPR, 2020

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	Project Report” (DPR)?	Detailed Project Reports (DPRs) are the outputs of planning and design phase of a project. DPR is a very detailed and elaborate plan for a project indicating overall programme, different roles and responsibilities, activities, possible risks and recommended measures to mitigate them and resources required for the project and also its operation/maintenance of the project after completion.
66.	What is Terms of Reference (ToR)?	Please refer to the Rule 25(3)(d) of the APPR, 2020 The “Terms of Reference (TOR)”, defines the assignment, objectives, scope, outputs, and outcomes of the consultancy services and provides necessary background information. TOR shall be carefully framed in precise terms by the procuring entity and it should allow prospective consultants to propose their own methodology and work schedule. The TOR shall, inter alia, include - (i) objectives of the assignment; (ii) background of the project and relevant information; (iii) Scope of the services to be provided; (iv) Tasks to be carried out and completion schedule; (v) output to be delivered and/or outcome; (vi) support and inputs to be made available by the procurement entity; (vii) Time-frame for completion of the assignment; and (viii) Requirements of Key Experts.
66.a	What is Request for Proposals (RFP) document?	Please refer to the Rule 25(3)(e) of the APPR, 2020 The Request for Proposals (RFP) for a specific consulting services assignment provides all the information necessary for the short-listed consultants to prepare their proposals. It identifies the evaluation criteria, selection method, and procedures that will be used to evaluate them. The RFP also contains the Terms of Reference (TOR) and the draft contract for the assignment
67.	What is the need to establish the legal foundations of	Please refer to the Preamble of the APPA, 2017, which mentions that it is expedient to establish legal foundations for procedures for procurement by public entities so as to ensure –

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	public procurement?	<ul style="list-style-type: none"> i. timely delivery of its intended outcomes with efficiency, economy, professionalism and public accountability from its officers and staff; ii. the highest standards of transparency, fairness, equality towards Its bidders; iii. support to policies of the State on soda/, economic and environmental issues; and iv. assurance to public and other stakeholders regarding probity and integrity of the process.
68.	What is e-procurement?	<p>Please refer to the Section 2(g) and Section 28(2) of APPA, 2017 and related provisions in the APPR, 2020</p> <p>"e-procurement" means the electronic process where in the physical tendering activity is carried out online using the Internet and associated technologies</p>
69.	What is the meaning of “Procuring Entity”?	<p>Please refer to the Section 2(x) and Section 3(2) of the APPA, 2017</p> <p>According to Section 3(2) of the APPA, "procuring entity, means</p> <ul style="list-style-type: none"> a) any department of State Govt. or its subordinate office; b) any State PSU owned or controlled by the State Govt.; c) any entity established/constituted under Indian Constitution and whose expenditure is met from State’s Consolidated Fund; d) any entity or board or corporation or authority or society or trust or autonomous entity established or constituted by an Act of the State Legislature or an entity owned or controlled by the State Govt.; e) any other entity which the State Govt. may, by notification, specify to be a procuring entity, being an entity that receives substantial financial assistance from the State Govt. f) any procurement support agency or procurement agent or procurement consultant involved in procurement on behalf of the procuring entities specified in clauses (a) to (e) above

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70.	What is “Goods”?	Please refer to the Section 2(o) of the APPA, 2017 "Goods" includes all articles, material, commodities, electricity, livestock, furniture, fixtures, raw material, spares, instruments, software, machinery, equipment, industrial plant, vehicles, aircraft, ships, railway rolling stock and any other category of goods, whether in solid, liquid or gaseous form, purchased or otherwise acquired for the use of a procuring entity as well as services or works incidental to the supply of the goods if the value of services or works or both does not exceed that of the goods themselves
71.	What is “Works”?	Please refer to the Section 2(zd) of the APPA, 2017 “Works” means all works associated with the construction, reconstruction, site preparation, demolition, repair, maintenance, or renovation or railways roads, highways or a building, an infrastructure or structure or an installation or any construction work relating to excavation, drilling, installation of equipment, and materials, as well as services or goods incidental or consequential to the works if the value of those services or goods does not exceed that of the works themselves.
72.	What is the “Subject Matter of Procurement”?	Please refer to the Section 2(zc) of the APPA, 2017 "Subject Matter of Procurement" means any item of procurement whether in the form of goods, services or works
73.	Who is a “Bidder”?	Please refer to the Section 2(b) of the APPA, 2017 "Bidder" means any person, company, firm, agency, institution, etc. participating in a procurement process of a procuring entity for procurement of Goods, Works or Services
74.	What is “Procurement Plan”?	Please refer to the Section 5(4) of the APPA, 2017 and Rule 4 of the APPR, 2020 A “Procurement Plan” is a document prepared by procurement entities and to be submitted along with their annual budget plan. The procurement plan shall detail information regarding their procurement requirements for the financial year and shall

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		<p>contain at the least a brief description of the goods, works or services for which procurement action is to take place; proposed methods of procurement; any provision of price or purchase preference as per the APPA; time schedule for key procurement activities and any other relevant information pertaining to the procuring entity's plan for procurement in the respective financial year.</p>
75.	<p>What is a “Joint Venture”?</p>	<p>Please refer to the Rule 5(3) of the APPR, 2020</p> <p>A Joint Venture (JV) is a business arrangement in which two or more parties agree to pool their resources, <i>and having formal intent and legal competency to enter into an agreement or contract</i>, can either be incorporated or unincorporated.</p> <p>Where specifically permitted in the bidding documents, any bidders having formal intent and legal competency to enter into an agreement or contract or participate under an existing agreement or contract in the form of a JV, provided-</p> <ol style="list-style-type: none"> a) no partner of the JV shall submit an independent bid for the same package for which the JV submits a bid; b) all partners of the JV shall be jointly and severally liable for the bid and for the execution of the Contract; c) if a JV's bid is accepted, they shall either form a registered JV Company or a Limited Liability Partnership, or a Partnership Firm; or else the contract documents and the JV Agreement, etc. shall be duly signed and executed in a manner to make it legally binding on all partners and indicating, Inter alia, the proposed distribution of responsibilities, both financial as well as technical, for execution of the work amongst them; and d) JV shall nominate a Lead Partner who shall have the authority to conduct all business for and on behalf of any or all the parties of the JV during the bidding process and during execution of the contract. This authorization shall be evidenced by submitting a power of attorney signed by the

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		legally authorized signatories of all the partners or, otherwise, all the parties in JV shall sign the Agreement.
76.	What is a consortium? How is it different from a Joint-Venture?	A consortium is not a merger and each participant carries on its normal business operation without any interference and remains independent. A joint venture is an association of two or more parties and can be incorporated or unincorporated. Unless otherwise stated in the bidding documents, all partners of the consortium, similar to the case of joint venture, shall be jointly and severally liable for the bid and for the execution of the Contract in accordance with the terms of the contract.
77.	What is a “Lead Partner” in a Joint Venture?	Please refer to the Rule 5(3)(d) of the APPR, 2020 In case of Bid from a Joint Venture (JV), the JV shall nominate a “Lead Partner”, who shall have the authority to conduct all business for and on behalf of any or all the parties of the JV during the bidding process and during execution of the contract. This authorization shall be evidenced by submitting a power of attorney signed by the legally authorized signatories of all the partners or, otherwise, all the parties in JV shall sign the Agreement
78.	What is the “Qualification of Bidders”?	Please refer to the Section 6(5) and Section 7 of the APPA, 2017 and Rule 7 of the APPR, 2020 Section 6(5) inter alia mentions that - procuring entity may lay down reasonable Eligibility Conditions for participation in the procurement process, as distinct from and in addition to any technical or financial qualification criteria. Section 7 of the Act inter alia mentions that - A procuring entity may determine and apply one or more of the requirements for a bidder to be qualified for participating in a procurement process, as distinct from and in addition to any eligibility conditions. Any bidder participating shall -(a) possess necessary professional, technical, quality assurance, financial and managerial resources, certification and experience and competencies required, if any, by the bidding documents,

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		<p>prequalification documents or bidder registration documents; (b) fulfil any other qualifications as may be prescribed</p> <p>Rule 7 APPR inter alia mentions that procuring entity shall clearly specify the qualifications required for bidders to participate in a procurement process in the relevant bid documents or the bidder registration docs or pre-qualification bidding docs.</p>
79	<p>What are the documentary records of procurement to be maintained/kept ready by procuring entity as per Assam Record Rules?</p>	<p>Please refer to the Section 10 of the APPA, 2017 and Rule 11 of the APPR, 2020</p> <p>All procuring entities shall maintain and preserve in safe custody, the documentary record of procurement proceedings and of communications as per provision of the Section 10 of the Act and Rule 11 of the APPR</p>
80.	<p>How Registration of bidders is done as per APPA and the APPR?</p>	<p>Please refer to the Section 19 of the APPA, 2020 and Rule - 19 of APPR, 2020.</p>
81.	<p>What are the Minimum Required Documents to be included in the bidding document?</p>	<p>Please refer to the Section 20 of the APPA, 2020 and Rule - 21 of APPR, 2020.</p>
82.	<p>What is SBD (“Standard Bidding Documents”)?</p>	<p>Please refer to the Section 20(4) of the APPA, 2020 and Rule -21(5) of APPR, 2020.</p> <p>SBDs as model bidding documents have been notified by the Government for procurement of works, goods and services.</p>

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83.	What is Pre-bid conference/ Meeting? Why do we need it?	<p>Please refer to the Section 22(4) of the APPA, 2020 and Rule -22 of APPR, 2020.</p> <p>Section 22(4) of the APPA mentions that procuring entity may hold a <u>pre-bid conference to clarify doubts of potential bidders in respect of a particular procurement</u> and the records of such conference shall be intimated to all bidders and where applicable, shall be published on the State Public Procurement Portal.</p> <p>As per Rule 22, in cases of turnkey contracts or facilities of a special nature or procurement of sophisticated and costly equipment; large works and complex consultancy assignments, a suitable provision shall be kept in the bidding documents for <u>one or more rounds of pre-bid conference for clarifying issues or doubts, if any, about the specifications, technical or commercial details of the work, consultancy, plant, equipment and machinery</u> projected in the bidding document, etc.</p>
84.	What may be the “various committees” notified by a Procuring entity?	<p>Please refer to the Rule -23(1) of APPR, 2020.</p> <p>As per the Rule, every procuring entity shall constitute and notify one or more Committees for the following purposes, namely: -</p> <ul style="list-style-type: none"> a) Preparation of bidding documents; b) Opening of bids; c) Evaluation of technical and financial bids; d) Monitoring of contract; e) Spot Purchase; f) Purchase Committee for Competitive negotiations; g) Any other purpose relating to procurement like preparation or evaluation of Detailed Project Report, etc. as may be decided by the procuring entity: <p>Provided that no consultant or advisor, by whatever name called, shall be a member of any such Committee.</p>

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85.	What are the steps to be dealt with “late bids”?	<p>Please refer to the Rule -23(7) of APPR, 2020.</p> <p>Any bid that is submitted personally by hand after the time and date fixed for submission of bids under any circumstances. Any bid which arrives by post after the deadline for submission of bids shall be declared and marked as “Late” and returned unopened to the bidder if the bidder so requests. In case of e-procurement, the system shall not allow any bids to be uploaded after the deadline for submission of bids</p>
86.	What is the “Procedure for Opening of bids”?	<p>Please refer to the Rule -23(9) of APPR, 2020.</p> <p>Bids shall be opened as per the procedure mentioned in the Rule by the Bid Opening Committee constituted by the procuring entity at the time, date and place specified in the bidding documents in the presence of the bidders or their authorised representatives who choose to be present, enabling them to watch the proceedings.</p> <p>If electronic bidding is adopted, specific electronic bid opening procedure as specified on the State Public Procurement Portal shall be followed. The bidders shall be enabled to witness the electronic bid opening and status of the bid evaluation online.</p>
87.	What will a procuring entity do if after evaluation of bids only one responsive bid is received?	<p>Please refer to the Rule -23(20) of APPR, 2020.</p> <p>Rule 23(20(i) – If after evaluation of bids, the Bid Evaluation Committee ends up with only one responsive bid, the Committee shall check as to whether while floating the Notice Inviting Bids all necessary requirements to encourage competition, like, standard bidding terms and conditions, industry-friendly specifications, wide publicity, sufficient time for formulation of bids, etc. are fulfilled. If not, the Committee shall recommend cancellation of the bid process and issue of fresh Invitation for Bids after rectifying the deficiencies and the procurement entity shall act accordingly.</p> <p>Rule 23(20(ii) - Subject to strict adherence to all the prescribed procedures and other relevant conditions outline in these rules and the provisions of the Act, which shall be certified in writing</p>

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		<p>by the concerned procuring entity, detailing the process undertaken, the bid process shall be considered valid even if there is one responsive bid, provided that: -</p> <ul style="list-style-type: none"> a) bid is technically qualified; b) price quoted by the bidder is assessed to be reasonable; c) bid is unconditional and complete in all respects; d) there is no indication of cartelization amongst bidders; and e) bidder is qualified as per the provisions of section 7 of the Act. <p>In such cases, the Bid Evaluation Committee shall prepare a justification note, in which the specific views of the Finance and Accounts Officials/Members shall be necessary and on which the approval of the next higher authority of the procuring entity in terms of the relevant Delegation of Financial Powers shall be obtained. The bid shall be finalized only after such approval is accorded in consultation with the Finance and Accounts Officials/Members.</p>
88.	<p>What a procuring entity will do if after three consecutive invitations for quotations, no suitable bid is received?</p>	<p>The procuring entity shall explore the likely reasons for lack of suitable bids, may go for a market survey, hold dialogue with potential suppliers and based on the feedback, as relevant, revisit the specified eligibility and techno-commercial provisions, specifications, delivery schedules, guarantee/warranty etc. given in the bidding document to ensure that such requirements are not unduly restrictive, and are in line with market availability. The bidding documents may be appropriately revised before requesting fresh Bids.</p>
89.	<p>What is “Proprietary Article Certificate” (PAC)?</p>	<p>Please refer to the Rule -24(c)(iv) of APPR, 2020.</p> <p>In procurement of goods, where items are procured only from Original Equipment Manufacturers or manufacturers having proprietary rights or their authorised dealers or stockists, a “Proprietary Article Certificate” (PAC) shall be signed by the appropriate authority. The concerned Administrative</p>

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		Department responsible for the sector of such proprietary shall lay down the schedule of powers for signing such certificate.
90.	What is the “Role of District Emergency Procurement Committee”?	<p>Please refer to the Rule 24(c)(vii) of APPR, 2020.</p> <p>Rule 24(C)(vii)- In emergent situations arising in a district of the State out of floods and other calamities, natural or otherwise, or urgency for upholding human rights, the relevant subject matter may be procured from a single source at or below the ceiling rates to be fixed by a District Emergency Procurement Committee (DEPC), comprising the following officials:</p> <ol style="list-style-type: none"> a. Deputy Commissioner – Chairperson b. District Officer of the Concerned Department – Member Secretary c. Sub-divisional Officers of Civil Sub-division – Members d. Finance and Accounts Officer – Member e. Concerned Technical Officer – Member <p><u>The Role of the DEPC is to decide the ceiling rates for the subject matter of procurement on the basis of analysis of the wholesale market or authorised dealer rates of that subject matter prevailing during the previous six months.</u></p>
91.	Upto what value/ amount RFQ can be sought?	<p>Please refer to the Rule 24(F)(i) of APPR, 2020.</p> <p>Request for Procurement method may be adopted by a Procurement Entity if the estimated cost or the value of the subject matter of procurement is less Rupees One lakh (Rs.1 lakh) on one occasion, but it shall not exceed Rupees Five Lakh (Rs. 5 lakh) in a financial year. However, the Finance Department may, by notification, raise or lower the monetary ceiling values prescribed.</p>
92.	What is procurement from “e-commerce”?	<p>Please refer to the Section 28(k) of the APPA, 2017 and Rule 24(K) of APPR, 2020.</p> <p>Section 28(k)- a procuring entity may procure a subject matter of procurement inter alia by means of any of the e-commerce method.</p>

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		Rule 24(K)- Procuring entities may choose to procure its essential common use needs through e-commerce websites in case the subject matter of procurement is not available on GeM, subject to the provisions as given in the Rules.
93.	What is the “Role of Spot Purchase Committee”?	<p>Please refer to the Rule 24(G)(ii) of APPR, 2020.</p> <p>The Role of Spot Purchase Committee is to survey the market diligently to ascertain the specifications, quality and reasonableness of rate with reference to the wholesale market price, identify the appropriate supplier of the subject matter thereof and record the certificate prescribed in the Rule and signed by all the members. Departmental Stores, Shopping Malls, Authorised Dealers may be included in the market survey and reputed internet shopping portals may also be explored.</p>
94.	What is Community Procurement?	<p>Please refer to the Section 28(l) of the APPA, 2017 and Rule 24(L) of APPR, 2020.</p> <p>The community procurement method shall be adopted for community driven schemes for procurement of inputs like, equipment, machinery etc., in community driven schemes where each beneficiary of such scheme, whether individual or group or community, is required to bear a part of the cost of such input by way of bank loan or otherwise as “beneficiary share.”</p> <p>This method of procurement enables the beneficiary to procure the schematic input item of their own choice by themselves, from a dealer selected by them, at their own preferred time and at the price specified in a ‘Rate-Bank’ established through open competitive bidding by the procurement entity and published widely.</p>
95.	What is State level Empowered Committee?	<p>Please refer to the Rule 24(M)(i) and 24(M)(iv) of APPR, 2020.</p> <p>State Level Empowered Committee or SLEC is a body, chaired by the Chief Secretary, that shall be constituted by the State</p>

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		Government under the APPR as a Competent Authority for the purpose of Swiss Challenge Method of Procurement.
96.	What is generally the bid validity period?	<p>Please refer to the Rule 23(4)(i) of APPR, 2020.</p> <p>The bid validity period should normally not be more than One Hundred and Eighty (180) days, but depending on the nature of the procurement, a longer validity period may be specified in the bidding documents by the procurement entity if required</p>
97.	Under what conditions repeat orders may be given?	<p>Please refer to the Rule 33 of APPR, 2020.</p> <p>If the original procurement for goods and services followed Open Competitive Bidding, and if bidding documents made a provision, then <u>repeat orders for supply of additional quantities may be placed with the original supplier at the same rates and on the same terms and conditions as in the original order subject to the following conditions:</u></p> <ul style="list-style-type: none"> a) That the procuring entity is satisfied that initiating a new procurement shall not lead to better competitive prices; b) The value of the repeat orders shall be limited to the percentage notified by the Finance Department; c) The repeat orders shall be placed within 6 months of the expiry of the original contract.
98.	What is “Technical Evaluation”?	<p>Please refer to the Rule 23(11) and Rule 23(16) [for goods, works and NCS] and 25(5) [for consultancy] of APPR, 2020.</p> <ul style="list-style-type: none"> a) For goods, works and non-consulting services (NCS): Technical evaluation is to assess the responsiveness, technical capability including experience, personnel, compliance with specifications, deviations, qualification criteria etc. to meet the technical requirements and to execute the contract, if awarded. b) For consulting services: Evaluation of Technical proposals is to assess the responsiveness to TOR, tabulated, analysed and evaluated as per the scoring criteria specified in the RFP (<i>adequacy of methodology and work plan, relevant experience and qualifications of key staff, relevant</i>

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		<p><i>experience of the firm, transfer of knowledge</i>). The Committee shall record in detail the reasons for acceptance or rejection of the technical proposals analysed and evaluated by it and prepare a list of the bids that have been qualified and accepted technically.</p>
99.	<p>What is financial evaluation?</p>	<p>Please refer to the Rule 23(12) and Rule 23(17) [for goods, works and NCS] and 25(6) [for consultancy] of APPR, 2020.</p> <p>a) For goods, works and non-consulting services: Financial evaluation involves consideration of bid price, correction of arithmetic errors, discounts offered, and if specified life cycle costing, performance and productivity, O&M etc. and determining the substantially responsive lowest evaluated cost bid or most advantageous bid.</p> <p>b) For consulting services: Financial evaluation involves evaluation of proposal price, correction of arithmetic errors, discounts offered etc. for further analysis, scoring, ranking and selection of the successful bidder for negotiations and award.</p>
100.	<p>What is the meaning of bidding documents?</p>	<p>Please refer to the Section 2(d) of the APPA, 2017.</p> <p>“Bidding Documents” means documents for procurement of Goods, Works or Services issued by the procuring entity, including any amendments thereto, that set out the terms and conditions of the given procurement and includes the invitation to bid; The term "bidding document" also includes the "Request for Proposal" and "Request for Quotation" documents used for hiring consultancy and non-consultancy services.</p>
101.	<p>What is the meaning of techno-commercial bid?</p>	<p>Please refer to the Section 13(1)(i) of the APPA, 2017.</p> <p>The term 'techno-commercial bid' denotes the bid containing the technical, quality and performance aspects, commercial terms and conditions and all other details and documents in the bid, except the price and relevant financial details.</p>
102.	<p>What is EPC contracts?</p>	<p>Please refer to the Section 18(1)(c) of the APPA, 2017.</p>

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		Engineering, procurement, and construction (EPC) contracts are a form of contract where the Contractor carries out detailed engineering design, procures all equipment and materials, and under takes the construction. The procuring entity provides basic engineering to the contractor and the latter performs detailed design based on the received basic design.
103.	What is turnkey contracts?	<p>Please refer to the Section 18(1)(c) of the APPA, 2017.</p> <p>The term EPC is used as synonymous with “turnkey” mode.</p> <p>However, there are some differences between two concepts=</p> <p>a) In EPC, an employer will provide basic engineering to a contractor and the latter shall perform detailed design based of received basic design.</p> <p>b) In Turnkey, Employer will only provide certain technical specifications of the project and it is the responsibility of the contractor to prepare basic and detail design of the project.</p>
104.	What is the meaning of debarment, and what are the conditions for debarment?	<p>Please refer to the Section 11(3)(f) and Section 46 of the APPA, 2017 and Rule 20(d).</p> <p>A bidder shall be debarred by the State Government if he has been convicted of an offence -</p> <p>a) under the Prevention of Corruption Act, 1988; or</p> <p>b) under the Indian Penal Code, 1860 or any other law for the time being in force, for causing any loss of life or property or causing a threat to public health as part of execution of a public procurement contract</p> <p>A bidder shall not be debarred, unless such bidder has been given a reasonable opportunity of being heard</p>
105.	What are timelines for such debarment?	<p>Please refer to the Section 11(3)(f) and Section 46(4) of the APPA, 2017.</p> <p>If a procuring entity finds that a bidder has breached the code of integrity prescribed in terms of section 11, it may debar the bidder for a period not exceeding three (3) years</p>

Sl.	Query	Response
106.	What is Instructions to Bidders?	<p>Please refer to the Rule 21(b) of the APPR, 2020.</p> <p>a) Instructions to Bidders (ITB) is a Section of bidding documents issued by the procurement entity for procurement of goods, works and non-consulting services. This Section provides relevant information as well as instructions to assist prospective bidders in preparation and submission of bids. It also includes the mode and procedure to be adopted by the Employer for receipt and opening as well as scrutiny and evaluation of bids and subsequent award of contract.</p> <p>b) Corresponding Section in the RFP document for selection of consultants is “Instructions to Consultants”, and provides information to help shortlisted consultants prepare their proposals. Information is also provided on the submission, opening and evaluation of proposals, contract negotiation and award of contract.</p>
107.	What are General Conditions of Contract and Special Conditions of Contract?	<p>Please refer to the Rule 21(f) of the APPR, 2020.</p> <p>General Conditions of Contracts (GCC) are set of defined terms and conditions of the contract in the bidding documents/RFP issued for subject matter of procurement. These conditions shall not be altered while customizing the standard bidding document issued by the Finance Department. However, the respective clauses of GCC should be supplemented and or amended in the Special Conditions of Contract (SCC). In such case, clauses contained in GCC and related SCC shall be read together. Whenever there is a conflict between information contained in GCC and SCC, the clauses contained in SCC shall prevail.</p>
108.	What does the State Procurement Facilitation Cell do?	<p>Please refer to the Section 50 of the APPA, 2017 and the Rule 32 of the APPR, 2020.</p> <p>The functions of the State Procurement Facilitation Cell may be seen in the Section 50 of the APPA, 2017 and the Rule 32 of the APPR, 2020</p>

Sl.	Query	Response
		<p>The main functions of the SPFC is given below:</p> <ul style="list-style-type: none"> • To maintain and update the State Public Procurement Portal set up under Section 17of Act. • To arrange for training and certification specified in terms of Section 48 of Act. • To recommend to the State Government measures for effective implementation of the provision of this Act. • To provide guidance consistent with the provisions of this Act and the Rules and guidelines made there under, to the procuring entities with respect to the matter relating to public procurement. • To study different methods of public procurement and prepare and recommend standard bidding documents, pre-qualification documents or bidder registration documents • encourage procuring entities to adopt electronic procurement; and • To discharge such other functions as may be assigned to it by the State Government consistent with the provisions of this Act and the Rules and guidelines. • To discharge such other functions as may be assigned to it by the State Government consistent with the provisions of the Act and the Rules. • Issuing, with the approval of the Head of the Finance Department and consistent with the provisions of the Act, clarifications relating to the composition and powers of various Committees dealing with procurement as in sub-rule (1) of Rule 23. • Monitoring publication of required information related to procurement in the. • Monitoring mandatory use of e-procurement by procuring entities under Rule 17;

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		<ul style="list-style-type: none"> • Setting coding conventions to facilitate e-governance, including a Harmonised System of Nomenclature and Coding for subject matters of all procurement. • Establishing, maintaining and continuous monitoring of the required safety and security protocols for the State Public Procurement Portal, issuing guidelines for the purpose and taking all precautionary measures thereof to ensure the security and integrity of the portal; • Monitoring Appeals relating to procurement as per Sections 38 to 40 of the Act, and taking steps to improve the appeal mechanism. • Monitoring action taken regarding offences and punishments relating to procurement as per Sections 41 to 47 of the Act, that are brought to its notice. • Any other work required to be performed under the Act and these Rules.
109.	<p>What is the State Public Procurement Portal (SPPP)?</p>	<p>Please refer to the Section 17 of the APPA, 2017 and the Rule 17 of the APPR, 2020.</p> <p>State Public Procurement Portal is an online platform to be set up and maintain by the State Government accessible to the public for posting matters relating to public procurement</p> <p>The State Public Procurement Portal will have the necessary links to all the websites relating to public procurement by the State Government including the sites for e-procurement, electronic reverse auction and district websites etc.</p>
110.	<p>Why do we need the SPPP, when we have the e-procurement portal?</p>	<p>Please refer to the Section 17 of the APPA, 2017 and the Rule 17 of the APPR, 2020.</p> <p>The State Public Procurement Portal shall contain the specified information relating to the APPA, APPR, SBDs and other Notifications issued by the State Government for both manual and e-procurement also the State Public Procurement Statistics. A link is also provided for the e-procurement portal from the SPPP, for carrying out the online process of electronic</p>

Sl.	Query	Response
		<p>tendering using the internet and associated technologies, and contains very detailed information but related to e-mode only.</p> <p>The Assam State has SPPP which may be seen at http://sppp.assam.gov.in</p>
111.	<p>What is the difference between the Bid Opening Committee and the Bid Evaluation Committee?</p>	<p>Please refer to the Section 24 of the APPA, 2017 and the Rule 23(1), Rule 23(9) and Rule 23(10 to 20) of the APPR, 2020.</p> <p>Bid Opening Committee (may have a minimum of two members) is responsible for opening of bids received prior to the bid submission deadline, in presence of the bidders or their authorised representatives, and preparing record of the proceedings of bid opening, signed by all members of the committee, and also sign each bid that has been opened.</p> <p>Bid Evaluation Committee is responsible for evaluation of the bids as per the qualification and evaluation criteria specified in the bidding documents, verifies the documents submitted by bidders if required, and prepares a bid evaluation report with its recommendations for consideration of the competent authority.</p>
112.	<p>What is Digital Signature Certificate (DSC)?</p>	<p>Please refer to the Rule 23(2)(vii) of the APPR, 2020.</p> <p>Digital Signature Certificates (DSC) is a tool used for electronically sign documents and is equivalent of physical signature and fully legally valid. It can be presented electronically to prove signatory's identity. DSC is also used for e-procurement portal for submission of bids.</p> <p>In e-procurement, the bidders prepare bids in the formats provided in the bidding documents or, in the formats published on e-procurement portal, which are signed digitally by bidders through their DSC and uploaded on the e-portal along with their bids.</p>
113.	<p>What is withdrawal of bids?</p>	<p>Please refer to the Section 32(2)(f), Section 42(2) of the APPA, 2017 and the Rule 20(1)(e), Rule 23(4)(ii), Rule 23(8), and Rule 23(9)(v) of the APPR, 2020.</p>

Sl.	Query	Response
		<p>A bidder may withdraw its bid by sending a written notice, duly signed by the bidder or his authorised representative in writing, before the deadline for bid submission. Bids requested to be withdrawn are returned unopened to the bidders. No bid shall be withdrawn after the time and date fixed for receipt of bids. In cases of e-procurement, bidders may withdraw their bid online as per the norms applicable for the e-procurement portal.</p>
114.	<p>What is substitution of bids?</p>	<p>Please refer to the Rule 23(8), of the APPR, 2020.</p> <p>A bidder may substitute its bid by sending a written notice, duly signed by the bidder or his authorised representative in writing, before the deadline for bid submission. No bid shall be substituted after the time and date fixed for receipt of bids. In cases of e-procurement bidders may substitute their bid online as per the norms applicable for the e-procurement portal.</p>
115.	<p>What is modification of bids?</p>	<p>Please refer to the Rule 23(8), of the APPR, 2020.</p> <p>A bidder may modify its bid by sending a written notice, duly signed by the bidder or his authorised representative in writing, before the deadline for bid submission. No bid shall be modified after the time and date fixed for receipt of bids. In cases of e-procurement bidders may modify their bid online as per the norms applicable for the e-procurement portal</p>
116.	<p>What is Bill of Quantities (BoQ)?</p>	<p>The Bill of Quantities (BoQ) is part of the Bidding Document, which is prepared based on the detailed estimated cost. BoQ provide information on the quantities of Works to be performed and it enable bidders to prepare and quote rates for each item of the BoQ and to calculate the quote total Bid Price. During contract execution, BoQ is inter alia used for accessing the progress of works against individual items and record measurements in MBs, and payment to contractors based the rates quoted for BoQ items.</p>
117.	<p>What is the difference</p>	<p>Please refer to the Rule 23(13), of the APPR, 2020.</p>

Sl.	Query	Response
	<p>between responsive bid and unresponsive or non-responsive bid?</p>	<p>A bid shall be deemed to be responsive if it meets the requirements of the bidding documents without any material deviation, reservation, or omission where: -</p> <ul style="list-style-type: none"> a) “deviation” is a departure from the requirements specified in the bidding documents; b) “reservation” is the setting of limiting conditions or withholding from complete acceptance of the requirements specified in the bidding documents; and c) “omission” is the failure to submit part or all of the information or documentation required in the bidding documents. <p>The procuring entity shall regard a bid as responsive if it conforms to all requirements set out in the bidding documents, or contains minor deviations that do not materially alter or depart from the characteristics, terms, conditions and other requirements set out in the bidding documents, that is, there is no material deviation, or if it contains errors or oversights that can be corrected without any change in the substance of the bid</p> <p>An unresponsive or non-responsive bid is a Bid which fails to meet the requirements of the Bidding Documents without any material deviation, reservation, or omission. Bids that are not responsive or contain any material deviation shall be rejected and declared as unresponsive and shall be excluded from any further evaluation.</p>
118.	<p>What is immaterial non-conformities in bids?</p>	<p>Please refer to the Rule 23(15) of the APPR, 2020.</p> <p>Immaterial non-conformities in bids are non-conformities that do not constitute a material deviation, reservation or omission and deem the bid to be responsive. The Bid Evaluation Committee may request the bidder to submit necessary information or documents which are historical in nature, and may rectify immaterial non-conformities or omissions on the basis of the information or documentation received from the bidder.</p>

Sl.	Query	Response															
119.	What is PAG?	<p>PAG stands for Permanent Advisory Group. Please refer to the OM (FEB.366/2016/Pt/53 dated.12th November, 2021)</p> <p>The Permanent Advisory Group will be primarily responsible for advising the SPFC about policy matters. Broadly, its functions shall include following:</p> <ul style="list-style-type: none"> • Review of recommendations from SPFC for removal of difficulties /amendments to the Assam Public Procurement Act and Rules. • Review of the Standard Bidding Documents for adoption by the State. • Recommending the financial thresholds for various procurement methods. • Any other policy matters that may be endorsed by SPFC. <p>It currently comprises of the following members:</p> <table border="1" data-bbox="579 994 1490 1709"> <tbody> <tr> <td data-bbox="579 994 676 1115">1</td> <td data-bbox="676 994 1106 1115">Senior-most Secretary of the Finance Department</td> <td data-bbox="1106 994 1490 1115">Chairperson</td> </tr> <tr> <td data-bbox="579 1115 676 1236">2</td> <td data-bbox="676 1115 1106 1236">Senior-most Secretary of Public Works Department</td> <td data-bbox="1106 1115 1490 1236">Ex-officio Member</td> </tr> <tr> <td data-bbox="579 1236 676 1408">3</td> <td data-bbox="676 1236 1106 1408">Senior-most Secretary of Home and Political Department</td> <td data-bbox="1106 1236 1490 1408">Ex-officio Member</td> </tr> <tr> <td data-bbox="579 1408 676 1585">4</td> <td data-bbox="676 1408 1106 1585">Senior-most Secretary of power (Electricity) Department</td> <td data-bbox="1106 1408 1490 1585">Ex-officio Member</td> </tr> <tr> <td data-bbox="579 1585 676 1709">5</td> <td data-bbox="676 1585 1106 1709">Commissioner & Secretary, Finance Department</td> <td data-bbox="1106 1585 1490 1709">Member secretary</td> </tr> </tbody> </table>	1	Senior-most Secretary of the Finance Department	Chairperson	2	Senior-most Secretary of Public Works Department	Ex-officio Member	3	Senior-most Secretary of Home and Political Department	Ex-officio Member	4	Senior-most Secretary of power (Electricity) Department	Ex-officio Member	5	Commissioner & Secretary, Finance Department	Member secretary
1	Senior-most Secretary of the Finance Department	Chairperson															
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4	Senior-most Secretary of power (Electricity) Department	Ex-officio Member															
5	Commissioner & Secretary, Finance Department	Member secretary															
120.	What is the difference between a company, a	a) Company: According to the Indian Companies Act 2013, a company is defined as an association that can be formed by natural persons, legal entities, or a mixture between the															

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	<p>firm, a partnership firm and an agency?</p>	<p>two, and the main purpose of the company is to develop commercial activities.</p> <p>b) Firm: A firm is a commercial enterprise, a company that buys and sells products and/or services to consumers with the aim of making a profit. A business entity such as a corporation, limited liability company, public limited company, sole proprietorship, or partnership that has products or services for sale is a firm.</p> <p>c) Partnership firm: A partnership is a relationship between individuals who have agreed to share the profits of a business carried on by all or any one of them acting for all as stated in the Indian Partnership Act. Therefore, a partnership consists of three essential elements.</p> <ol style="list-style-type: none"> i. A partnership must be a result of an agreement between two or more individuals. ii. The agreement must be built to share the profits obtained from the business. iii. The business must be run by all or any of them representing the rest
121.	<p>What is the Scope of Work?</p>	<p>Please refer to the Rule 3(2) and Rule 25(3)(a) of the APPR, 2020.</p> <p>Rule 3(2)- The Scope of Work of subject matter of Procurement shall include the quality, including the technical, performance and qualitative characteristics, the specific quantum of work to be performed, key deliverables and timelines.</p> <p>Rule 25(3)(a)- Scope of the consultancy assignment include the desired outputs or outcomes thereof, the approximate time period that may be required for completion of such consultancy and an estimate of the likely expenditure involved with reference to the prevalent market conditions</p>
122.	<p>What is the Eligibility Criteria and</p>	<p>Please refer to the Section 6(5) and Section 7 of the APPA, 2017 Rule 5 and Rule 7 of the APPR, 2020.</p> <p>Eligibility criteria is the set of Eligibility Conditions laid down for participation in the procurement process, as distinct</p>

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	<p>Qualification Criteria?</p>	<p>from and in addition to any technical or financial qualification criteria to ensure compliance with Transparency and Code of Integrity. Section 6(5)(a)- Eligibility Conditions for participation in the procurement process, <i>as distinct from and in addition to any technical or financial qualification criteria</i>, is to ensure compliance with the Transparency and Code of Integrity. The Rule 5 of APPR mentions about general Eligibility Conditions, such as e.g. bidder shall not have been debarred or have a conflict of interest, etc.</p> <p>Qualification criteria is specified in the bidding documents to evaluate whether a bidder possesses the necessary professional, technical, quality assurance, financial and managerial resources, certification, experience and competencies, for executing the works. Section 7- Qualification criteria include professional, technical, quality assurance, financial and managerial resources, required competencies, experience certification, bidder registration documents, etc. Rule 7 mentions about that the procurement entity shall specify the qualifications required for bidders to participate in the process.</p>
123.	<p>What is Contract Management?</p>	<p>Please refer to the Section 2(v) of the APPA, 2017.</p> <p>"Procurement Contract" means a contract entered into between the procuring entity and a successful bidder concerning the subject matter of procurement.</p> <p>Contract management is to ensure that all parties meet their obligations as per the provisions of the procurement contract. Active contract management ensures that the contractor performance is satisfactory.</p>
124.	<p>What is appeal in procurement? Who can file an appeal?</p>	<p>Please refer to the Section 38 to Section 40 of the APPA, 2017 and Rule 26, Rule 27 and Rule 28 of APPR, 2020.</p> <p>If any bidder or prospective bidder is aggrieved that any decision, action or omission of the procuring entity is contravention to the provision of the Assam Public</p>

Sl.	Query	Response
		<p>Procurement Act and Rules or any guidelines issued there under, he may file an appeal to such officer of the procuring entity as may be designated by it for the purpose within the specified period, giving the specific ground(s) on which he feels aggrieved.</p> <p>After the declaration of a bidder as successful, the appeal may be filed only by a bidder who has participated in procurement proceedings. In case a procuring entity evaluated the technical bid before the opening of the financial bid, an appeal related to the matter of financial bid may be filed only by a bidder whose technical bid is found to be acceptable.</p>
125.	<p>What is the meaning of ‘technically qualified bidders’?</p>	<p>Please refer to the Rule 23(16) and Rule 25(5) of the APPR, 2020,</p> <p>Technically qualified bidders are the bidders who meet the eligibility criteria and are substantially responsive to the technical and commercial qualifying criteria specified in the bidding documents.</p>
126.	<p>Can we extend the bid submission deadline if so requested by a bidder?</p>	<p>Please refer to the Section 23(2) and Rule 23(5) of the APPR, 2020,</p> <p>Yes, the bid submission deadline may be extended by the procurement entity in exceptional circumstances like-</p> <ul style="list-style-type: none"> i. sufficient number of bids have not been received and the procuring entity is of the opinion that further bids are likely to be submitted if time is extended; or ii. the bidding documents are required to be substantially modified, and the time remaining for preparation of bids appears to be insufficient
127.	<p>Minimum number of bid evaluation committee member?</p>	<p>Please refer to the Section 23(1)(ii) of APPA, 2017 and Rule 23(5) of the APPR, 2020</p> <p>The bid evaluation committee shall have minimum three (3) members.</p>

Sl.	Query	Response
128.	What is minimum and maximum time limit for extension of Bid submission date?	No limits. The decision should be need based.