



ARIAS SOCIETY

Assam Rural Infrastructure and Agricultural Services Society

(An Autonomous Body of the Govt. of Assam)

Project Coordination Unit (PCU) of the World Bank financed

Assam Agri-business & Rural Transformation Project (APART)

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No. ARIASS/APART/MISC./169/2017/41

Dated Guwahati the 14th January 2020

OFFICE MEMORANDUM

On Delegated Procurements under APART (Amended)

In suppression of the OMs issued vide No.ARIASS/APART/MISC./169/2017/16 dated 8.10.2018, and No.ARIASS/APART/249/2017/30 Dated 15.09.2018 and all their amendments issued from time to time, and in pursuance of the World Bank's Management Advisory Letter of 30.10.2019 for APART, the following amended norms for Delegated Procurements are hereby notified, which shall come into force with immediate effect and shall prevail until further orders:

(A) Applicable Regulations: Procurements shall be carried out in accordance with the provisions in the "World Bank Procurement Regulations for Borrowers under Investment Project Financing", dated July 1, 2016¹ published by the World Bank (hereinafter also called as 'Procurement Regulations')².

(B) Threshold value of delegated procurements, applicable procurement methods etc.:

Sl	Procurement Category	Delegated to	Delegated Value per Contract ³	Method of Procurement	Details at Annex-...	Standard Procurement Document ⁴	Remarks
1.	Goods	Furniture, Office Equipment, Computers, printers, Copiers, Agriculture machinery, etc.	Up to Rs.65.00 lakh	RFQ / GeM/ Framework Agreement	Annex-1	Request for Quotation (RFQ)	For Contracts above Rs.65 lakh each the RFB Notice, Bid Document, Bid Evaluation Report (BER) etc. PCU shall undertake prior review (<i>applicable only if procurement is not done through PWRD</i>)
2.	Non-Consulting Service⁶	Travel /vehicle rental agency, office security/ cleaning agency/ catering, etc					
3.	Small Civil Works	Repair/renovation of CPIU/ OPIU, DICC offices, ATMA Offices, FIAC/ BRC, etc.					
4.	Major Civil Works	Rehabilitation of access road, Infrastructure development of Agricultural Wholesale Markets / Rural Haats, Renovation / Upgradation of Warehouses, Milk Processing Plants, etc	Up to Rs.500.00 lakh	RFQ up to Rs.65 lakh per contract and NCB-RFB for contracts above Rs.65 lakh/ contract	Annex-2	Request for Bidding (RFB) Document	• RFB Notice, Bid Doc., BERs for contracts above Rs.500.00 lakh each shall be prior reviewed by PCU. • E-procurement for contracts ≥ Rs.20 lakh
5.	Consulting Service (Firms)	Consultancy Firms	Up to Rs.65.00 lakh	REOI –QCBS/ QBS/ LCS/ FBS/ CQS and DS ⁷	Annex-3	Request for Proposal (RFP) Document	• Consultancy (firm) procurements above Rs.65.00 lakh per contract will be prior reviewed by PCU
6.	Consulting Service (Individual)	Individual consultants/Experts	Up to Rs.65.00 lakh/year/ consultant	Advt. REOIs / Limited Competitive Selection / DS	Annex-4	Request for Expression of Interest (REOI)/etc.	PCU's representative could be a member of the Interview Board, if needed by the Agency concerned.
7.	Supporting Staff under operating expenses	District Coordinators viz. Environment/ Social Sector and MIS Operator/Accounts Manager / Office Assistant / Office Boy, etc	Up to Rs.4.20 lakh/ year/ staff	Advt. REOIs / Competitive Selection/ Walk-in interview	Annex-4	Request for Expression of Interest (REOI)	PCU's representative could be a member of the Interview Board, if needed by the Agency concerned.
8.	Office Consumables under operating expenses	Printer Cartridge, Paper, Office Stationeries, etc.	No limit	RFQ / Framework Agreement/ GEM	Annex-4	RFQ/ Framework Agreement	-

¹ This Procurement Regulations was Revised in August.2018;

² Ref. to World Bank's website- <https://policies.worldbank.org/sites/ppf3/PPFDocuments/Forms/DispPage.aspx?docid=4005&ver=current>

³ Inclusive of all taxes/GST. Thresholds are not applicable for procurements to be managed by NDDB. PCU will have no oversight role on procurements made by NDDB

⁴ The Bid Documents may be downloaded from the website of ARIAS Society viz.

⁵ OPIU (Operational Project Implementation Unit) which have their engineering wing will undertake works procurement of their own for value up to Rs. 65 lakhs

⁶ **Non-consulting Services:** Services which are not Consulting Services. Non-consulting Services are normally bid and contracted on the basis of performance of measurable outputs, and for which performance standards can be clearly identified and consistently applied. Examples include: drilling, aerial photography, satellite imagery, mapping, and similar operations;

⁷ Quality Cost Based Selection [QCBS]; Quality Based Selection [QBS]; Fixed Budget-based Selection [FBS]; Least Cost-based Selection [LCS]; Consultants Qualifications-based Selection [CQS]; Direct Selection [DS].

(C) Miscellaneous:

- 1) The thresholds mentioned at 'B' above are not applicable for procurements for WAMUL to be managed by NDDDB. Further, PCU will have no oversight role on procurements made by NDDDB.
- 2) Wherever, the word 'purchaser' is used in this document, it implies the authority that will issue supply order and/or sign contract with the supplier/ contractor.
- 3) No procurement shall be split-up merely to bring it under the threshold values of delegated procurements.
- 4) **Procurement through GeM (Govt. eMarketplace) is allowed in lieu of RFQ/Shopping** for the Goods & Services available in GeM, as an alternative to the RFQ method.
 - a) **up to Rs.50,000** in catalog mode (viz. any available item could be selected by Implementing Agency without further competition), provided selected Item/Supplier meeting the requisite quality, specification and delivery period.
 - b) **up to Rs. 30 lakh** from the Supplier having lowest price amongst at least three Suppliers meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM may be used by the Purchaser.
 - c) **up to Rs.65 lakh** (equivalent of US\$ 100,000 @1USD=Rs.65) from the Supplier having lowest price and meeting the requisite quality, specification and delivery period after mandatorily obtaining bids from at least three Suppliers, using online bidding or reverse auction tool provided on GeM.
 - d) No special preference shall be accorded to any bidder either for price or for other terms and conditions. This includes purchase preferences, price preferences, reservation, relaxation or exemptions for bid security (EMD) or performance security etc.
 - e) **No Obligation: It is not mandatory for the Purchaser to procure through GeM portal, Goods and Services that are available on GeM and if required, normal Shopping/RFQ method may be used.** Where situation warrants, the Purchaser reserves the right to annul the procurement process on GeM at any time prior to Contract Award, without thereby incurring any liability to the Suppliers available on the GeM.
 - f) **Fraud and Corruption:** Purchasers, bidders, suppliers, contractors and their agents (whether declared or not), sub-contractors, sub-consultants, service providers or suppliers, and their personnel will comply with paragraph 1.16 of Procurement Guidelines or Annex IV of Procurement Regulations as the case may be.
 - g) The individual and firms debarred and suspended by the World Bank Group would not be eligible to receive any contract award fully or partly financed from the Loan extended by the World Bank. Additionally, the Purchaser will comply with conflict of interest requirements as listed in World Bank Procurement Guidelines or Procurement Regulations.
- 5) For **procurements of value less than Rs.6.50 lacs** (equivalent of USD 10K, @1USD=Rs.65), it was agreed with the World Bank that-
 - a) project need not to submit these procurements to the World Bank through STEP system.
 - b) project shall provide the information about planned and completed procurements (similar information required in STEP) in an excel table on a quarterly basis, instead of putting all the information in STEP
 - c) project shall be accountable to fully comply with the agreed procurement procedures (including eligibility and debarment) in conducting such small procurements.
 - d) post review of such small value contracts shall be conducted by a firm hired by the project (with TOR agreed with the Bank) and the findings shall be shared with the Bank each year.
 - e) While making use of GeM portal, Purchasers need to make use of Special Terms and Conditions meant for World Bank financed projects, available at following weblink;
<https://assets-bg.gem.gov.in/resources/pdf/STC%20for%20World%20Bank%20funded%20contracts.pdf>
- 6) Proprietary Items required for **Demonstration programs** may be procured under Direct Contracting process if approved in STEP by the World Bank.
- 7) **Method of obtaining quotation:** For procurements with an estimated value of **Rs.5,00,000/-** (including GST) **or more per contract**, cost effective advertisement shall be published in local newspapers and website of the concerned project Implementing Agency/CPIU/OPIU.
- 8) **E-Procurement:** As per Procurement Plan agreed with the World Bank and the DEA (Govt. of India), procurements with an estimated value of **Rs.20.0 lakh & more** per contract (including GST), the e-Procurement System of the Govt. of Assam (<https://assamtenders.gov.in/nicgep/app>) shall be followed or GeM may be used for the procurements pursuant to the provisions mentioned above. To ensure that e-procurement system adheres to the World Bank requirements, the World Bank mission 16-25 Sept.2019 has asked the project to ensure following:
 - a) to use the organization level "World Bank tenders" for which the project will have to write to State NIC and also use separate DSC for this organization level.
 - b) project shall open the bids on the same day as that of bid submission deadline within half an hour. The physical copy of bank guarantee for bid security shall be submitted within online bid submission deadline.
 - c) clause for arithmetic correction should not be deleted from the Bidding Document. Price Schedule shall be in Bank's format using modified excel BOQs available in NIC portal.

- d) only for NCB/ open national competition under RFB, online payment of bid security may be accepted as one of the options (means it will not be the only option)
 - e) to use Bank's model bidding document for NCB/RFB with open national competition with e-GP provisions and SBD/SPD for ICB/RFB with open international competition with e-GP conditions in the Data Sheet only. ITB shall not be modified.
 - f) Tenders shall be floated under two envelope option (one envelope option is to be avoided).
- 9) The State Project Director (SPD), ARIAS Society reserves the right to withdraw the applicability of this OM for Specific procurement(s) under the project, irrespective of the contract value, so as to facilitate efficient management of the procurement directly by the PCU, ARIAS Society. Moreover, SPD reserves the right to call for all the documents relating any procurement at any point of time for special verification/audit.
 - 10) The guidelines provided in this OM shall be followed by all the officials associated with the APART, (unless specifically exempted by the SPD, ARIAS Society).
 - 11) A separate Office Memorandum relating to procurement of community managed civil works and goods/ equipment relating to Common Service Center (CSC) of FPOs, Common Facility/ Common Facilities Center (CFC) of Industries Associations, slaughter house, hatcheries, Community Jali House, Cocoon Storage House, Cocoon Drying Chamber, Fish processing unit, etc. will be issued by the PCU of ARIAS Society in due course.
 - 12) **Complaints** on procurement matters shall be accepted at any time. Complaints received before bids/quotations are submitted by the bidders, should be resolved before bid opening. Complaints received after bids/quotations are received should be taken into account but the response should be announced only after award is recommended. Copies of all complaints/ protests received should be forwarded to the PCU. Complaints/ protests should not be reviewed by the Procurement committees but by an independent protest mechanism. When Complaints are submitted before award of contract, the procurement committee may revisit the decisions for fairness.
 - 13) The OM shall be updated from time to time and all concerned will be intimated accordingly.

Attachments:

Appendix-A, and Annex-1 to Annex-4

(Laya Madduri, IAS)
State Project Director, ARIAS Society

Copy for favour of information and needful to the:

1. APC and Chairman, ARIAS Society, Dispur
2. Additional Chief Secretary, to the Govt. of Assam – Finance/ Transformation & Development / PWRD/ Agriculture/ Industries & Commerce/ Fisheries/Animal Husbandry & Veterinary / Cooperation
3. Commissioner & Secretary/Secretary, Agriculture/ Handloom, Textiles and Sericulture/ Industries & Commerce/ Commissioner & Spl. Secretary, PWRD
4. Directors of Agriculture/ Horticulture & FP/ Fisheries/ Sericulture/ Handloom & Textiles/ AH & Veterinary/ Dairy Development and the Director of Research, Assam Agricultural University
5. Chief Executive Officer, ASAMB
6. Managing Director, ASWC/WAMUL/ALPCo
7. Chief Engineer, PWRD (ARIASP & RIDF)
8. All PD, ATMA of APART districts/ District level officers of the implementing directorates/agencies of APART
9. Internal: All concerned by email

APPENDIX-A**To the Office Memorandum on Delegated Procurement
Common Procedures applicable for all the Delegated Procurements**

1. **Procurement process shall be Transparent.** Transparency in public procurement is best achieved through: (a) cost-effective open advertising, (b) public bid opening, (c) objective bid evaluation criteria, (d) independent unbiased evaluation, (e) contract award to the lowest evaluated bidder, (f) publication of awards, (g) fair & speedy protest handling process, and (h) disclosure of signed contracts.
2. **Administrative Approval (AA) to the concerned Annual Work Plan (AWP) for the procurement:** Before initiating action on procurement, the purchaser must ensure that the AWP of the project Implementing Agency includes the item(s)/activity related to the procurement & AA to the AWP has been issued by the ARIAS Society.

However, in case of time-bound activities, procurement actions shall be initiated by the purchaser, *ahead of the issuance of AA to the AWP by the ARIAS Society*, after obtaining prior in-principle concurrence of the SPD, ARIAS Society, provided- (a) the activity is as per provision in the Project Implementation Plan (PIP)/Project Appraisal Document (PAD) of APART or specifically agreed with the World Bank; and (b) incorporated in the AWP to be placed before GB/PGC by the line Deptt./agency.

Nevertheless, before issuing Supply Order/ Award of the Contract for the procurement for such time bound activities, the purchaser shall confirm that either AA for the AWP has been issued by the ARIAS Society, or a specific in-principle go-ahead is issued by the SPD, ARIAS Society.

3. **Procurement Committee at OPIUs and ATMA in the project districts⁸:** All OPIUs and ATMA Societies associated with APART shall constitute a Procurement Committee, with Head of the Office as Chairperson, and having 1/2 technical officers as members, one procurement staff⁹ familiar with World Bank procurement norms and the senior most officer of the Accounts Branch as a mandatory member. The Committee shall be notified by the respective Head of Office, with intimation to all concerned including PCU, ARIAS Society.
4. Whenever there is a substantial difference (say by more than 10%) between the estimated cost provided in the AWP approved by ARIAS Society and the rate quoted by the lowest evaluated responsive bidder, the purchaser's evaluation committee shall record the reasons for the difference in rates in the Minutes of its meeting.
5. As per PAD (page 56) - ASAMB and ASWC will manage only small value contracts (relating to operating cost, workshop and training) and they will not have Accounting Center/Child Account under APART. Only Imprest Advance for operating cost, workshop and training will be provided to them under APART. They shall report expenditure (with original bills) based on which the expenditure will be booked by PCU and the advance will be adjusted. Further imprest shall be given based on the projected expenditure.
6. All the OPIUs/ District level offices/ ATMA's shall submit **quarterly** procurement progress report to the PCU ARIAS Society through email as well as through a hard copy, as per following format (soft copy shall be MS Excel):

Assam Agribusiness & Rural Transformation Project (APART)														
Name of the OPIU/ Implementing Directorate/ Agency/ATMA district :														
MONTHLY PROCUREMENT PROGRESS REPORT (Month/Year:)														
Sl.	Item Sl. Reference of approved AWP (year)	Name/ Brief Description of the item with Quantity (Unit)	PCU's AA / the Financial Sanction No. with date	Category : Goods/ Works/ NCS/Consultancy	Date of issue of RFQ/ RFB	Opening date Of Quotations / Bids	No. of Quotations/ Bids received	Date of Finalization of Award (date of Proc. Committee meeting)	Supply Order/ Contract No. with Date	Name of Contractor/ Supplier	Contract Price (Rs.)	Physical progress (%)	Payment made (Rs.)	Financial progress (%)
..
Signature of the Accounts Officer/Sr. most Accounts personal							Signature of the Head of Office/Purchaser							

7. **Audit of Procurements and Maintenance of Records:** Procurements will be audited by the following: officials of PCU/ Chartered Accountant (CA) engaged by PCU/ World Bank officials or consultants engaged by the World Bank¹⁰/ Accountant General as per standard norms. Therefore, full documentation¹¹ relating to procurements shall be retained safely by the respective purchaser for review/audit, as & when needed.
8. Concerned purchaser implementing directorate/agency shall be responsible for entering all the information relating to the procurement in the World Bank's online procurement management system STEP i.e. Systematic Tracking of Exchanges in Procurement (url link: <https://step.worldbank.org/>).

⁸ Project Districts (as on 1.11.2019) : Barpeta, Biswanath, Cachar, Charaideo, Darrang, Dhubri, Goalpara, Golaghat, Hailakandi, Hojai, Jorhat, Kamrup (Rural), Kamrup (Metro), Karbi Anglong, Karbi Anglong West, Kokrajhar, Lakhimpur, Majuli, Morigaon, Nagaon, Nalbari, Sivasagar, Sonitpur, South Salmara

⁹ Procurement staff should be trained in procurement by PCU or familiar with World Bank procurement norms.

¹⁰ The World Bank conducts 'Post Procurement Audit' every year.

¹¹ All the RFQ/Bid Document; original quotations/ bids; Evaluation Reports/CS and other documents leading to the award decision and its rationale, invoices, payment details, etc.

ANNEX-1

**To the Office Memorandum on Delegated Procurement
Procurement of Goods, Non-Consulting Service and Small Civil Works
Through Request for Quotation (RFQ) method**

1. **Procurement of routine goods, non-consulting services (firms) and small & simple civil works (except Roads, Markets and Warehouses) up to Rs.65.00 lakh per contract** (inclusive of all taxes) are delegated to the OPIUs of the implementing directorates/ agencies and ATMA Societies in the project districts, and may be done through Request for Quotations (RFQ)¹² method.
2. **Preparation of estimate:** The estimated cost is a vital element in the procurement processes, including for establishing the reasonableness of the quoted prices at the time of evaluation of the bids and also during contract approval. Therefore, **estimated cost should be worked out in a realistic & objective manner, and commensurate to the market.**
 - a. **Estimate for Goods/ standard specification commodities:** The prevailing market price ascertained through a market survey or budgetary quotations from one or more prospective suppliers or published catalogues/Maximum Retail Price (MRP) printed on the item are normally the main source for establishing the estimated cost of items for which no historic data is available with the purchaser. It may be noted that MRPs usually include significant margins for distributors, wholesalers and retailers.
 - b. **Estimate for Non-consulting Services (NCS)¹³:** The approach for preparing cost estimate for NCS would depend on the services required. However, in general the cost estimate shall be based on the assessment of the resources & equipment needed to carry out the assignment: staff time, logistical support, and physical inputs. Costs shall be divided into two broad categories: **(a)** remuneration for the personnel and **(b)** reimbursable costs. The cost shall be estimated on a realistic basis, as applicable, by ascertaining the prevalent market conditions and consulting other organizations engaged in similar activities.
 - c. **Civil Works:** The concerned purchaser should get in touch with the local PWRD Division for preparation of the estimate for the civil work as per the latest Schedule of Rate (SoR) of the State PWRD/PWD (Building). Alternately, the local PWRD Division may examine and vet the estimate that is prepared by the purchaser. Further, before initiating procurement action, the purchaser shall obtain Technical Sanction for the estimate from the competent authority of PWRD/PWD or from any other competent authority of the State Govt.
3. **Mode of Obtaining Quotations:**
 - a. **For procurements, where the individual estimated contract value is Rs.5,00,000/- (Rupees five lakh) or more, advertisement seeking Quotations shall be published in atleast one widely circulated local newspapers and the website of the project Implementing Agency.** In such cases, an abridged version of the advertisement (*sample given in the website of ARIAS Society*) shall be published in the newspaper and the Detailed Advertisement & the RFQ document shall be uploaded in the website of the implementing agency;
 - b. **For procurements, where the individual estimated contract value is below Rs.5,00,000/- (Rupees five lakh), Quotations may be obtained by sending the RFQ document to a limited number of firms or suppliers dealing with the item/contractors, without newspaper advertisement.** In such case, in order to ensure competition, the purchaser should request quotations atleast from three (3) **genuine** firms having individual GST Registration number.
 - c. **E-Procurement:** As per Procurement Plan agreed with the World Bank, all procurements with estimated of **Rs.20.0 lakh** and above per contract (including GST), the e-Procurement System of the Govt. of Assam (<https://assamtenders.gov.in/nicgep/app>) shall be followed or else the GeM may be used pursuant to this OM. The e-procurement shall adhere to the norms cited in this OM.
 - d. Firms shall be given sufficient time (normally not less than **14 working days**) to prepare and submit quotations
4. **RFQ Document:** The Standard RFQ document may be downloaded from the website of the ARIAS Society viz. <http://www.arias.in/procurements.html>. In case of any difficulty in drafting the RFQ document, based on the Standard RFQ document, PCU-ARIAS Society may be consulted for guidance.
5. **Manufacturer's authorization certificate:** When requesting quotations from firms for an the goods manufactured by some other company, the firm should be required to attach, along with its quotation, the manufacturer's authorization certificate and manufacturer's confirmation of the required warranty for that product as per format given in the RFQ document. This is necessary to ensure receipt of quotation from a responsible firm offering genuine product, also backed by a warranty obligation from the concerned manufacturer.

¹² An RFQ is a competitive method that is based on comparing price quotations from firms. This method is efficient for procuring limited quantities of readily available off-the-shelf Goods /standard specification commodities, or Non-consulting Services, or simple civil Works of small value

¹³ Examples of NCS are: **(a)** Housekeeping Services / upkeep of premises including buildings and other assets; **(b)** Printing/Copying Services; **(c)** Electrical services for attending to the Electrical faults, Preventive & breakdown maintenance of electrical power distribution systems & electrical equipment and Operation & maintenance of sub-station equipments etc.; **(d)** Operation and maintenance services for air-conditioning units, water treatment plant, diesel generators etc.; **(e)** Maintenance of elevators, photocopiers, telecommunication systems, other electrical / electro-mechanical equipments etc.; **(f)** Plumbing & sanitary services for attending to faults, preventive & breakdown maintenance in water supply & sewerage systems etc.; **(g)** Maintenance of lawns and gardens; **(h)** Shifting / Transport of goods like furniture, fittings etc and arranging records at Departments, etc.. While some of these services may be carried out on annual contract basis, some other services may be carried out as task based, as per the requirement. **Note:** If the intellectual and advisory part of services dominates (*and the physical part is incidental*), the service is Consulting Service and hence the selection needs to be dealt with as per Consultancy mode.

6. RFQs shall include description of the goods with required quantity, details of non-consulting services and description of civil works with BOQ, delivery/completion period, location, etc.¹⁴ including any installation requirements, as appropriate. RFQ should also indicate deadline for submission of quotations and specify that quotations may be submitted by letter or by email.
7. **Opening of Quotations/ Bids:** Quotations shall be opened in public, at the date and time indicated in the RFQ document, and in presence of the quotations / bidders who choose to remain present. Quotations/bids shall be opened on the same day as that of bid submission deadline within half an hour.
8. **Evaluation of the quotations and contract award:** The evaluation of the quotations and contract award¹⁵ shall be carried out according to the criteria specified in the RFQ and adhering to the DFP Rules of the Govt. of Assam. The reasonability of the quoted rates shall be compared with the Estimated cost and the prevailing market rates and a statement shall be included in the BER/Comparative Statement saying that **"The rates of the lowest evaluated responsive bidder is reasonable, not substantially different from the estimated cost and commensurate to prevailing market price"**. The terms of the accepted quotation shall be incorporated in the supply order/contractually binding document. The purchaser shall keep records of all proceedings regarding RFQs.
9. **No prior concurrence of the PCU, ARIAS Society shall be needed for contract award decision under this category of procurement.** In case the decision of the procurement committee is to award the contract to a bidder who is not the lowest evaluated responsive bidder, the detailed justifications for its decision shall be recorded by the purchaser in the minutes of the procurement committee meeting.
10. No deviations from approved drawings, specifications and conditions of contract shall be permitted. However, in case minor non-material deviations are accepted, the detailed justifications for such acceptance shall be recorded in the minutes of the procurement committee meeting.
11. **Procurement through Government e-Marketplace (GeM):** Procurement through GeM (Govt. eMarketplace) is allowed in lieu of RFQ/Shopping for the Goods & Services available in GeM, as an alternative to the RFQ method.
 - a) up to Rs.50,000 in catalog mode (viz. any available item could be selected by Implementing Agency without further competition), provided selected Item/Supplier meeting the requisite quality, specification and delivery period.
 - b) up to Rs.30.00 lakh from the Supplier having lowest price amongst at least three Suppliers meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM may be used.
 - c) up to Rs.65.00 lakh (equivalent of US\$ 100,000) from the Supplier having lowest price and meeting the requisite quality, specification and delivery period after mandatorily obtaining bids from at least three Suppliers, using online bidding or reverse auction tool provided on GeM.
 - d) While using GeM portal, the Special Terms & Conditions meant for World Bank financed projects, available at following weblink shall be used; <https://assets-bg.gem.gov.in/resources/pdf/STC%20for%20World%20Bank%20funded%20contracts.pdf>
 - e) Before initiating procurement through GeM Portal, the purchaser shall ensure that the Fund Release Order (FLO) for the procurement has been issued by the ARIAS Society (so that payments can be made promptly after receipt of Goods).
 - f) Payment to the suppliers for purchases through GeM shall be made in accordance to the Govt. of India's OM No. F.26/4/2016.PPD dated 26.09.2016, and within 10 (ten) days of generation of Consignee Receipt & Acceptance Certificate (CRAC). The payment shall be made through RTGS.

¹⁴ The following aspects are to be clearly mentioned in the RFQ –(i) Description of the goods or works or NCS with technical specifications; (ii) Delivery period in days, location, consignee; (iii) Payment terms and period within which payment will be made (e.g. 100% upon delivery & installation or 90% against delivery & installation and balance 10% after the hand holding period of say 45 days); (iv) Warranty terms (e.g. as per Standard Warranty terms of the Manufacturer); (v) Requirement of dealership certificate of the manufacturer or authorization for goods; (vi) Bill of Quantities for civil works; (vii) Required validity of the quotation.

Packaging of items for evaluation as one group shall be done with proper application of mind. e.g. 'Computer' shall not be grouped with 'Computer Table' or 'Curtain'. Because an authorized 'computer' dealer of a reputed manufacturer normally does not deal in computer furniture and in all probability the dealer will not quote for the furniture though he may offer rates for the computer. Rejection of quotations due to improper packaging, and then citing reason that a bidder has not quoted all the items would not be acceptable.

In order to maintain transparency, the scheduled date of submission of quotation shall be indicated in the RFQ/Advertisement in the newspapers and the quotations shall be opened in public i.e. in the presence of bidders or representatives who choose to attend. Late Bids should be rejected. Signature of all the bidders who attended the meeting along with officials present shall be obtained in the Minutes of the Bid/Quotation Opening Meeting including in the sheet where announced prices are recorded.

No quotations shall be rejected due to lack of documents which are 'historical' in nature. In cases the same are not available in the offer, these may be obtained through a clarification. Similarly, Quotations shall not be rejected on hyper-technical ground, such as non-availability of Court Fee Stamp, ITCC/ STCC etc. These may be obtained through a clarification.

¹⁵ The lowest priced quotations shall be selected, provided the laid down technical specifications and terms & conditions are in conformity to those stipulated in the RFQ, quoted rates are reasonable and commensurate to prevailing market price

During evaluation of quotations, the laid down technical specifications or terms & conditions as per the RFQ shall not be relaxed/modified. For example, [a] a RFQ asking for supply of 'Pen', should not be interpreted as 'Ink Pen' or 'Ball Pen' at the time of evaluation, i.e. a bidder may quote 'Ball Pen' with less price and another bidder may quote for 'Ink Pen' with higher price. During evaluation, as long it is a 'pen', a bidder is deemed to have offered the required item. If the requirement is 'Ink Pen' it should be so indicated in the RFQ and the advertisement; [b] Similarly, a RFQ asking for supply of 'Ink Pen', should not be interpreted as 'Ball Pen' or 'Pen' at the time of evaluation, i.e. a bidder may quote 'Ball Pen' with less price and another bidder may quote 'Ink Pen' with higher price. Just because the 'Ball Pen' offer is cheap, it should not be selected as its technical specification does not meet requirements.

No Splitting of contracts or the required quantity; i.e. Contract shall be awarded only to the lowest evaluated responsive bidder (LERB) at his own quoted cost and not to any other bidder at the LERB's quoted rate; The quantity for which RFQ is issued, shall not be subsequently split/segregated into two or more, with the intention of award of contract to other bidders at the rate of the LERB.

After bid opening and until contract award, all information about bids and their evaluation should be confidential.

Annex-2**To the Office Memorandum on Delegated Procurement
Procurement of Major Civil Works**

1. Procurement of all Major Civil Works relating to (i) Rehabilitation of Access Roads, (ii) Infrastructure development of Agricultural Markets and (iii) Renovation/Upgradation of Warehouses, (except for Milk Processing Plants) shall be managed by the OPIU (PWRD) headed by the Chief Engineer, PWRD (EAP) [CE] in consultation with the concerned project Implementing Agency (ASAMB, ASWC, etc.)¹⁶.
 2. The OPIU (PWRD) shall prepare the DPR/Estimates in consultation with the project Implementing Agency (ASAMB, ASWC etc.) and the PCU. The CE shall submit the DPRs/ detailed design-drawings/ cost estimates, Social and Environmental checklists, RFB & Bidding Document, etc. for according concurrence by the PCU.
 3. **Mode of Obtaining Bids:** CE will initiate the procurement process and publish a truncated version of the RFB (Request for Bid) atleast in one widely circulated newspaper and in the website of the PWRD, and concerned agency associated with APART (e.g. ASAMB, ASWC, etc.), giving sufficient time (atleast **30** days) for bidders to apply. The OPIU (PWRD) shall send a copy of the minutes of the bid opening to the PCU by email immediately after opening of bids.
 4. **E-Procurement:** As per Procurement Plan agreed with the World Bank, procurements with estimated cost of **Rs.20.0 lakh and above per contract** (including GST & all taxes), the e-Procurement System of the Govt. of Assam (<https://assamtenders.gov.in/nicgp/app>) shall be followed. To ensure that e-procurement system adheres to the World Bank requirements, the World Bank Mission of 16-25 Sept.2019 has asked the project to ensure the following:
 - a) to use the organization level "World Bank tenders" for which the project will have to write to State NIC and also use separate DSC for this organization level.
 - b) project shall open the bids on the same day as that of bid submission deadline within half an hour. The physical copy of bank guarantee for bid security shall be submitted within online bid submission deadline.
 - c) clause for arithmetic correction should not be deleted from the Bidding Document. Price Schedule shall be in Bank's format using modified excel BOQs available in NIC portal.
 - d) only for NCB/ open national competition under RFB, online payment of bid security may be accepted as one of the options (means it will not be the only option)
 - e) to use Bank's model bidding document for NCB/RFB with open national competition with e-GP provisions and SBD/SPD for ICB/RFB with open international competition with e-GP conditions in the Data Sheet only. ITB shall not be modified.
 - f) Tenders shall be floated under two envelope option (one envelope option is to be avoided).
 5. **Bid Evaluation Committee (BEC):** CE, PWRD (EAP) shall constitute and notify a Bid Evaluation Committee (BEC) at the OPIU (PWRD) level as shown below, including one representative from each of the concerned line directorate/agency of APART:

➤ Chief Engineer, PWRD (EAP)	: Chairman
➤ Superintending Engineer cum Nodal Officer-APART, PWRD (OPIU)	: Member Secretary
➤ Nodal Officer-APART [ASWC/ ASAMB / WAMUL (as applicable)]	: Member
➤ Executive Engineer/Asstt. Ex. Engineer (OPIU)	: Member
➤ Procurement Expert (OPIU)	: Member
➤ Accounts Officer/Manager (OPIU)	: Member
➤ Any other Technical expert, as deemed fit by the CE	: Member
 6. The BEC shall evaluate the Bids strictly as per the provisions of the Bidding Document and retain all the relevant documents for scrutiny by PCU/World Bank/ Auditors/ AG etc. as per norms applicable for World Bank projects.
 7. **Finalization of the Bid Evaluation Report (BER) for contracts upto Rs.500.00 lakh:** The BEC at the OPIU (PWRD) shall approve the Bid Evaluation Report (BER) for contracts of value up to Rs.500.00 lakh (Rupees five hundred lakh) per contract (inclusive of GST & all taxes) and CE PWRD (EAP) shall award the relevant contracts, with intimation to SPD, ARIAS Society.
 8. **Procurement of contracts above Rs.500.00 lakh:** The RFB Notice, Bidding Document, BER, etc. for contracts estimated to cost above Rs.500.00 lakh (Rupees five hundred lakh) per contract (inclusive of GST & all taxes) shall be submitted for prior review and approval by PCU. A committee at PCU level shall approve such category of contracts as mentioned below.
 9. **The Empowered Committees for Contract Finalizing (ECCF) at PCU for finalizing the Bid Evaluation Reports (BERs)/ contracts above Rs.500.00 lakh, shall comprise of the following officials:**

➤ State Project Director (SPD), ARIAS Society	: Chairman
➤ Representative of concerned Admin Deptt. (Jt Secy/Deputy. Secy level)	: Member
➤ Head of the Concerned Directorate (as applicable)	: Member
➤ CEO-ASAMB/MD- ASWC/ MD- WAMUL (as applicable)	: Member
➤ Chief Finance Controller (CFC), PCU	: Member
➤ Procurement & Contract Management Specialist/Expert (PCU), APART	: Member Secretary
➤ Nodal Officer, APART of the concerned Deptt. (as applicable)	: Member
- Note:** (a) The OSD-cum-Senior Procurement Specialist-PCU, the Executive Engineer-PCU and Concerned Departmental Coordinator at PCU shall be Invitees to the ECCF meeting. (b) PCU shall accord approval to the BER or furnish its observations within **20** days of receipt of the BER.
10. **Notification of Intention to Award & Standstill Period, Award of Contract and publication of contract award, Debriefing** etc. shall be as per the RFB document. CE PWRD (EAP) shall award the contracts after the **Standstill Period** and publish the notification of award/ contract through STEP as well as through the website of PWRD and ARIAS Society.
 11. CE shall ensure that the Bank Guarantee received as performance security is cross-verified with the concerned commercial Bank, before signing of the contract agreement.
 12. CE shall submit one hard copy of every signed contract to the PCU of ARIAS Society for record.

¹⁶ OPIUs (except ASAMB & ASWC) which have their engineering wing will undertake works procurement of their own for value up to Rs.65 lakh

Annex-3
To the Office Memorandum on Delegated Procurement
Procurement of Consulting Service (Firms)

1. **Procurement of consulting services (firms) up to Rs.65.0 lakh per contract** are delegated to the OPIUs of the implementing directorates/agencies and shall be done by the respective OPIU of the implementing directorate/agency (except ASAMB & ASWC) as per the applicable process given in the "The World Bank Procurement Regulations for Borrowers-2016" (Revised in August 2018) and adhering to the following norms
2. The Terms of Reference (ToR) for the consultancy assignment shall be submitted to the PCU, ARIAS Society for prior review and approval (PCU in turn shall take technical approval of the World Bank, as required).
3. The draft Request for Expression of Interest (REOI), detailed estimated cost for the assignment and the draft Request for Proposal (RFP) document shall be as per World Bank's standard procurement documents. Standard RFP document, as appropriate, available in the World Bank's website shall be used.
4. Depending on the value of procurement and the complexity of the assignment, the following approved selection methods may be used for hiring Consulting firm: **(i) Quality and Cost Based Selection (QCBS); (ii) Fixed Budget Based Selection (FBS); (iii) Least Cost Based Selection (LCS); (iv) Quality Based Selection (QBS); and (v) Consultant's Qualifications Based Selection (CQS).** In case of Direct Selection, the entire procurement process will be prior reviewed by PCU /World Bank, as applicable.
 - i) **QCBS** method takes into account the quality of the Proposal and the cost of the services. The RFP document shall specify the minimum score for the technical Proposals, and the relative weight to be given to the quality and cost. Among the Proposals that are responsive to the requirements of the RFP document and are technically qualified, the Proposal with the highest combined (quality and cost) score is considered as the Most Advantageous Proposal.
 - ii) **FBS** is a competitive process under which the selection of the firm takes into account the quality of the Proposal and the cost of the services. In the RFP document, the budget that shall not be exceeded and the minimum score for the technical Proposals are to be specified. The Proposal with the highest technical score that meets the fixed budget requirement is considered the Most Advantageous Proposal. *FBS is appropriate when: the type of Consulting Service required is simple and can be precisely defined; cost is reasonably estimated and is sufficient for the firm to perform the assignment.*
 - iii) **LCS** is a competitive process under which the selection of the successful firm takes into account quality of the Proposal and the cost of the services. In the RFP document the minimum score for the technical Proposals are to be specified. Among the Proposals that score higher than the minimum technical score, the Proposal with the lowest evaluated cost is considered the Most Advantageous Proposal. *LCS is generally appropriate for assignments of a standard or routine nature (such as engineering designs of non-complex Works), for which well-established practices and standards exist.*
 - iv) **QBS** is a competitive process where the Proposal quality is evaluated without using cost as an evaluation criterion. The financial Proposal of only the highest technically qualified firm is opened and evaluated to determine the Most Advantageous Proposal. *QBS is appropriate for - complex or highly specialized assignments for which it is difficult to define precise TOR and the input required from the firm, and for which the firm is expected to demonstrate innovation in its Proposals; assignments that have a high downstream impact; and assignments that can be carried out in substantially different ways, so that Proposals will not be comparable.*
 - v) **CQS** is a process under which at least three qualified firms shall be requested through an REOI (by attaching the TOR to the REOI) to provide information about their relevant experience and qualifications. From the firms that have submitted an EOI, the firm with the best qualifications and relevant experience is to be selected and to be invited to submit its technical and financial Proposals for negotiations. Advertisement of REOI is not mandatory. *CQS is appropriate for small assignments or Emergency Situations in which preparing and evaluating competitive Proposals is not justified.*
 - vi) **Direct RFP as a procurement method for consultancy services (as advised in the Aide memoire of 16-25 Sept.2019 World Bank Mission):** Under this method, RFP can be directly advertised without going through the REOI stage. This method can be used only when a consultancy procurement is of moderate/ low risk and estimated value of procurement is less than Rs.52 lakh (USD 800K, @ 1USD=Rs.65). Method is for reducing the lead-time for hiring of consultancy firms.
5. Steps in brief for hiring of consultancy firms (for details, please refer to the Procurement Regulations)
 - a) **Terms of reference (ToR)** shall define clearly the objectives, goals, and scope of the assignment, provide background information to facilitate preparation of Proposals, and shall be compatible with the available budget for the assignment; *(Guideline for drafting ToR may be downloaded from the website of ARIAS Society viz. <http://www.arias.in/procurements.html>).*
 - b) **Request for Expressions of Interest (REOI)** shall be prepared as per the template provided on the World Bank's external website. REOI shall include complete draft TOR (to be provided in the website of the Deptt /implementing agency);
 - c) **Publication of an abridged version of the REOI** shall be done atleast in widely circulated one National and one local Newspaper, and the detailed REOI shall be published in the website of the concerned department/purchaser/implementing agency/ARIAS Society; Clarifications and addenda to the REOI shall be in writing; Firms shall be given sufficient time to respond to the REOI, normally no less than **14 Working Days**;
 - d) **Shortlisting** criteria to be used should include core business and years in business, relevant experience, technical and managerial capability of the firm. Key personnel are not to be evaluated at this stage. The final Shortlist is to be communicated to all firms that expressed interest.

- e) **RFP Document** is to be prepared using the World Bank's applicable Standard RFP document (may be downloaded from the website of the World Bank/ ARIAS Society); Firms shall be allowed sufficient time (atleast **30** days) to prepare their Proposals; The letter of invitation to submit Proposals shall be sent along with RFP document to all the Shortlisted firms; Clarifications and addenda on the RFP document shall be in writing.
- f) **Proposal Submission and Technical Proposal Opening:** The technical and financial Proposals shall be submitted by the firms (to whom RFP documents were issued) at the same time in two (2) separate and sealed envelopes. Only the Technical Proposals received by the deadline for the submission of Proposals shall be opened.
- g) **Evaluation of Technical Proposals** shall be done strictly in accordance with the evaluation criteria specified in the RFP document. Once evaluation of technical Proposals is complete, all firms that submitted Proposal shall be informed of their score and whether they met the minimum qualifying technical score specified in the RFP document. Simultaneously, the firms that have met the minimum technical Score specified in the RFP document shall be informed that they have met the requirements and the date when the financial Proposals shall be opened, and request them to be present during Opening of Financial proposals.
- h) **Financial Proposals Opening:** Financial Proposals shall be opened not earlier than seven (7) Working Days from the communication of technical evaluation results to the Consultants. Financial Proposals shall be opened in presence of the representatives of the firms who choose to attend. Evaluation of the Financial Proposals shall meet the requirements indicated in RFP document. The Combined Quality and Cost Evaluation (where applicable) shall be as per RFP document;
- i) **Negotiations** with the selected firm shall include discussions of the TOR, the methodology, Client's inputs, and special conditions of the contract. These discussions shall not substantially alter the original scope of services under the TOR or the terms of the contract (in case of QCBS, FBS, and LCS);
- j) **Notification of Intention to Award & Standstill Period, Award of Contract and publication of contract award, Debriefing** etc. shall be as per the RFP document;



Annex-4
To the Office Memorandum on Delegated Procurement

Procurement of Consulting Service (Individual Consultants)

1. **Procurement of consulting services (individual consultant) with monthly fixed remuneration up to Rs.90,000/- per contract** are delegated to the OPIUs of the Project Implementing directorates/agencies associated with APART. Accordingly such procurements shall be managed adhering to the norms given below.
 - a) Terms of Reference (ToR) along with the REOI for hiring the Individual consultant shall be sent to ARIAS Society for prior review and approval.
 - b) A short REOI shall be published atleast in two leading local newspapers (one English and one Assamese) and the detailed REOI along with the ToR shall be published in the website of the OPIU/Department/ Purchaser/Implementing Agency, providing sufficient time (atleast 14 days) for the candidates to apply. OPIUs/HODs shall prepare the long list of all the applicants and a shortlist of candidates to be called for interviews/test (along with reasons for screening out candidates). The list of candidates selected for interview and the candidates not selected for interview shall be published in the website of the Department/ Purchaser/ Implementing Agency.
 - c) The Interview Panel shall consist of atleast one independent technical expert and a representative from PCU.

Recruitment of Supporting Staff under Operating Expenses

1. **Recruitment of Supporting Staff under Operating Expenses with monthly fixed remuneration up to Rs.35,000/- per contract** are delegated to the OPIUs of the Project Implementing directorates/agencies associated with APART. Accordingly, such procurements shall be managed adhering to the following norms.
 - a) Job-description along with REOI for hiring the Contractual Staff shall be submitted to PCU for prior review and approval.
 - b) REOI shall be published in atleast two leading local newspapers and on the website of OPIU/Departmental website, providing sufficient time (atleast 14 days) for the candidates to apply. The recruitment process, i.e. receipt of application and scrutiny of the same may preferably be done through an online system, if feasible.
 - c) HODs will prepare the long list of all the applicants and a shortlist of candidates called for interviews/test (along with reasons for screening out candidates). The list of candidates selected for interview and the candidates not selected for interview shall be published in the website of the OPIU/directorate/agency.
 - d) The Interview Panel shall consist of atleast one independent expert.

Procurement of Office Consumables under Operating Expenses

1. **Procurement of Office Consumables under Operating Expenses** are delegated to the OPIUs of the Project Implementing directorates/agencies associated with APART, ATMA Societies associated with APART and all the District level offices notified as Accounting Centers under APART.
2. The procurements shall be managed as per the RFQ method or any other transparent method, adhering to the basic principles of Transparency, Value for Money, Economy and Efficiency.
3. Wherever possible, Office Consumables may be procured through GeM or alternately yearly contracts/ Framework Agreement may be established for procurement of Office Consumables.
