

G-21/159/2026-EC-FD
GOVERNMENT OF MIZORAM
FINANCE DEPARTMENT
(Expenditure Control Branch)

Dated Aizawl, the 19th August, 2026

NOTIFICATION

Subject : Procedure for selection amongst multiple responsive lowest bidders (L-1) and determination of competent authority in procurement/works – regarding.

Attention is hereby invited that the Government of Mizoram had issued Notification No. H.11021/1/2024-FEC dated 15.07.2024 relating, inter alia, to fixation of the permissible lower limit and upper ceiling of the estimated cost put to tender;

Para 4 of the General Rules & Direction of the Standard Bidding Documents for Procurement of Building & Other Related Works vide Annexure- I of Office Memorandum No. A.47011/1/2024-F.Est dated 26.09.2025 states that:

“In case the lowest tendered amount (worked out on the basis of quoted rate of individual items) of two or more bidders is same, then the successful bidder, among such bidders, shall be decided by competent authority.”

The Hon'ble Gauhati High Court, Aizawl Bench, in PIL No. 1/2026, Shri Vanlalruata Sailo vrs. State of Mizoram & 2 Ors., vide interim order dated 20.05.2026, stayed, inter alia, the operation of the above provision.

In pursuance of the aforesaid interim order, the Finance Department issued Office Memorandum No. G-21/159/2026-EC-FC dated 26.05.2026, whereby the aforesaid Notification and the relevant provision of the Standard Bidding Documents were kept inoperative with effect from 20.05.2026 and until further orders, and it was provided that procurement/works would, in the meantime, be governed by the Mizoram Transparency in Public Procurement Act, 2008, the Mizoram Public Procurement Rules, 2020, and the applicable provisions of Clause-4 of the CPWD Manual.

Subsequently, the Hon'ble Gauhati High Court, Aizawl Bench, vide order dated 13.08.2026 passed in the aforesaid PIL, has, insofar as the interim order dated 20.05.2026 is concerned modified the stated order. It has permitted the State to proceed with the tender process, and has granted liberty to the State to formulate an appropriate criterion for selection amongst multiple L-1 bidders and to specify the competent authority in relation to the contract value.

It is, therefore necessary to prescribe **Guidelines for selection of Bidder/Contractor in case of Tied Bids** to deal with cases where two or more responsive bidders are placed at L-I after evaluation of their bids and application of all applicable procurement preferences;

Accordingly, the following procedures for selection amongst multiple responsive lowest bidders (L-I) and determination of the competent authority is hereby prescribed to be followed by all concerned with immediate effect and until further orders:

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GUIDELINES FOR SELECTION OF BIDDER/CONTRACTOR IN CASE OF TIED BIDS

In case of Tied Bids the following criteria will govern the selection of the successful bidder:

1. Record of past performance in contract works.
2. Record of experience in similar works.
3. Litigation, current or during the last five years in which the bidder is involved.
4. Record of poor performance such as abandoning the works, not properly completing the contract, inordinate delays in completion.
5. Record of Financial failure.
6. Availability of essential construction equipments and manpower,
7. Bid Capacity.

Notwithstanding the above, Contractors whose near relatives are working as Divisional Accountant or Engineering Officers between the grades of Superintending Engineer and Junior Engineer (both inclusive) in the circle responsible for award and execution of contract will be summarily rejected. For this purpose, a near relative shall mean wife, husband, parents, grandparents, children, grandchildren, brothers, sisters, uncles, aunts, first cousins and their corresponding in-laws.

The **Competent Authority** for the purpose of these guidelines will be a committee under the chairmanship of the next higher authority to the authority competent to accept the bid/tender as per delegation of financial powers in Standard Operating Procedures for CPWD Works Manual in force, as given in the table below:

Bid/Tender accepting authority	Authorized Committee to select bidder in case of tied bids			Jurisdiction
	Chairman	Member Secretary	Members	
Engineer-in-Chief	Secretary, PWD	Engineer-in-Chief	All Chief Engineers	All Mizoram
Chief Engineer	Engineer-in-Chief	Concerned Chief Engineer	All Chief Engineers	Concerned Zone
Superintending Engineer	Chief Engineer concerned	Concerned Superintending Engineer	All Superintending Engineers under the Chief Engineer's zone	Concerned circle
Executive Engineer	Superintending Engineer concerned	Concerned Executive Engineer	All Executive Engineers under the circle	Concerned division

The Memorandum is duly vetted by the Law & Judicial Department vide their letter No. C. 18019/2/2026-L&J (Vol-II) dt. 17.08.2026.

This issues with the approval of Hon'ble Chief Minister dt. 19.08.2026.

Sd/- VANLALDINA FANAI
Commissioner & Secretary to the Govt. of Mizoram
Finance Department

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Memo. No. G-21/159/2026-EC-FD

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Copy to:-

1. Secretary to Governor, Mizoram.
2. P.S. to Chief Minister, Mizoram.
3. P.S. to Speaker/Minister/Leader of Opposition/ Ministers of State/ Deputy Speaker/ Govt. Deputy Chief Whip, Mizoram.
4. P.S. to Adviser to Chief Minister (Finance).
5. Sr. P.P.S. to Chief Secretary, Govt. of Mizoram.
6. Principal Accountant General, Mizoram.
7. All Administrative Heads of Departments.
8. All Heads of Departments.
9. Controller, Printing & Stationery with 6(six) spare copies to publish in the Mizoram Gazette.
10. Web Manager, Finance Department for web uploading.
11. Guard File.

(LALLUNGMUANI)

Under Secretary to the Govt. of Mizoram
Finance Department (EC)