

Frequently Asked Questions (FAQs) on Responding to Tenders

A notification published in Part III Section 4 of the Gazette of India: Extraordinary dated 7th April, 2016 has been issued by the Institute containing the guidelines on responding to tenders which can be viewed at http://www.icai.org/new_post.html?post_id=12547&c_id=219 . Placed below are the Frequently Asked Questions (FAQs) on Responding to Tenders. The same have been prepared for general guidance purpose only. However, members may use their prudence before responding to any tender.

1. What is the effective date of the said notification/guideline?

The said notification/guideline has come into force with immediate effect from date of publication of the notification in the official gazette (7th April, 2016). In other words, all tenders issued on or after 7th April 2016 will be covered under this notification/guideline.

2. Whether a member of the Institute in practice can accept such assignment where advertisement of tender was issued prior to 7th April, 2016?

The notification is effective for all tenders issued/hosted on or after 7th April, 2016. Therefore, a member of the Institute in practice can accept such assignment where advertisement of tender was issued prior to 7th April, 2016.

3. Whether a member of the Institute in practice can respond to tenders floated in exclusive areas of practice of Chartered Accountants?

A member of the Institute in practice shall not respond to any tender issued by an organization or user of professional services in areas of services which are exclusively reserved for Chartered Accountants by statute viz. audit and attestation services such as audit under Companies Act 2013, Income Tax Act 1961, etc.

It is clarified that in any State under the local statute if audit and attestation services are exclusively meant for Chartered Accountants only, the member will not be allowed to respond to such tender.

However, a member of the Institute in practice may respond to tenders as mentioned above wherever the minimum fee of the assignment is prescribed in the tender document itself.

4. Whether a member of Institute in practice can respond to such tenders which are open to other professionals apart from CAs. However, in the tender document, only CAs have been invited to respond.

A member of the Institute in practice can respond to such tenders.

5. Whether a member of Institute in practice can respond to such tenders which are open to CAs and other professionals and in the tender document other professionals along with CAs have been invited to respond?

A member of the Institute in practice can respond to such tenders.

6. Whether a member of Institute in practice can respond to such assignments where quotations have been called for from practicing members/firms through individual letters?

A member of the Institute in practice can respond to such assignments based on individual letters issued.

7. Whether a member of Institute in practice can respond to such tenders where only technical bid has been asked for from the members which is followed by financial quotations request from the shortlisted members through individual letters?

A member of the Institute in practice can respond to such tenders.

8. Whether non-adherence to such guidelines will lead to disciplinary action?

Non-adherence to such guidelines could lead to disciplinary action as this is a Council decision.

9. Whether the Institute can call for any papers/documents related to bid submitted by members in response to respective tender?

The Institute can call for any such papers/documents.
