

Effective 3/28/2016

63G-6a-114 Correcting an immaterial error in a solicitation response.

- (1) The chief procurement officer or the head of a procurement unit with independent procurement authority:
 - (a) may allow a vendor to correct an immaterial error in a responsive solicitation response as provided in this section; and
 - (b) may not allow a vendor to:
 - (i) correct a deficiency, inaccuracy, or mistake in a responsive solicitation response that is not an immaterial error;
 - (ii) correct an incomplete submission of documents that the solicitation required to be submitted with the solicitation response;
 - (iii) correct a failure to submit a timely solicitation response;
 - (iv) substitute or alter a required form or other document specified in the solicitation;
 - (v) remedy a cause for a vendor being considered to be not responsive or a solicitation response not responsive; or
 - (vi) correct a defect or inadequacy resulting in a determination that a vendor's solicitation response does not meet the mandatory minimum requirements, evaluation criteria, or applicable score thresholds established in the solicitation.
- (2)
 - (a) The chief procurement officer or the head of a procurement unit with independent procurement authority shall establish a deadline by which a vendor is required to submit a correction under this section.
 - (b) The chief procurement officer or the head of a procurement unit with independent procurement authority may not allow a vendor to correct an immaterial error in a solicitation response if the vendor submits the correction after the deadline established under Subsection (2)(a).
- (3) If the chief procurement officer or the head of a procurement unit with independent procurement authority allows a vendor to correct an immaterial error in a solicitation response, the chief procurement officer or head shall prepare and sign a written document supporting the reason for allowing the correction.

Enacted by Chapter 355, 2016 General Session