



No: SEDC/RC/Desktops-Laptops/2k20-

CORRIGENDUM-VII
(Tender No: SEDC/RC/Desktops-Laptops/2k20-1093)

HPSEDC published e-tender notice no. SEDC/RC/Desktops-Laptops/2k20-1093 dated 04/07/2020 for Rate Contract for procurement of Computer Hardware (Desktops and Laptops) for various Government Departments, Boards, Corporations, and Autonomous Institutions etc. in the State of Himachal Pradesh.

After Pre Bid Meeting, which was held on 10.07.2020, HPSEDC published Corrigendum-III on 23/07/2020. Some of the bidders raised further queries. Committee considered these requests and following changes/ modifications/ clarifications in the tender Section(s)/ Clause(s)/ Corrigendum-III may be read as under:

Sr. No.	RPF page No/ Section/ Clause of Tender	Clause as per RFP/ Corrigendum-III	Clarifications and Tender document clause may be read as:
1.	Corrigendum-III, Revised SCHEDULE-II, Category No. 2: Item No. 2.6, 2.7, 2.8	All-in-One Desktop Additional specs added	Chipset: Q Series. (bidders are requested to quote item No. 2.6, 2.7 & 2.8 with Q Series chipset)
Approximate quantity of the items to be purchased during one year:			
	Description		Approx. Qty.
2.	Category-1: Desktops and Category-2: All-in-One Desktops		5000 Nos.
3.	Category-3: HD Laptops and Category-4: FHD Laptops		1500Nos.

New Clauses Added:

1. A Bidder should be Original Equipment Manufacturer (OEM). In case the OEM desire to authorize ASP (Authorized Service Provider) for supply install and after sale support then OEM will submit MAF as per RFP, Proforma-A. OEM will also provide undertaking/ certificate of all responsibilities like delivery & installation, billing, after sale support, PBG, Penalties, if any and all the terms and conditions mentioned in the tender document by its ASP. If ASP fails to deliver his responsibilities or any of his responsibility, the concerned OEM will be held

responsible for all terms and conditions mentioned in this RFP. Agreement will be signed by OEM/ ASP.

2. EMD will be submitted by OEM. The validity of the EMD will be at least three months more than the expiry of Rate Contract / up to extended period of Rate Contract. PBG will be submitted/ provided by ASP.
3. OEM must submit a certificate of origin of country.

Latest instructions for OEMs/ bidders:

- I. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.
- II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.
- III. "Bidder from a country which shares a land border with India" for the purpose of this Order means: -
 - a. An entity incorporated, established or registered in such a country; or
 - b. A subsidiary of an entity incorporated, established or registered in such a country; or
 - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
 - d. An entity whose beneficial owner is situated in such a country; or
 - e. An Indian (or other) agent of such an entity; or
 - f. A natural person who is a citizen of such a country; or
 - g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above
- IV. The beneficial owner for the purpose of (III) above will be as under:
 1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.



Explanation—

- a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
 - b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
 2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
 3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
 4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
 5. In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.
- V. An Agent is a person employed to do any act for another, or to represent another in dealings with third person.
- VI. The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.

The Bidder has to provide following declarations (duly signed and stamped):

Declaration 1 of Latest instructions to OEMs/ bidders

"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I hereby certify that this bidder is not from such a country and is eligible to be considered."



Declaration 2 of Latest instructions to OEMs/ bidders

"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India. I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]

Declaration 3 of Latest instructions to OEMs/ bidders

"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries; I certify that this bidder is not from such a country or if from such a country, has been registered with the Competent Authority and will not sub-contract any work to a contractor from such countries unless such contractor is registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached]"

Note: Interested bidder may refer to Office Memorandum (F. No. 6/18/2019-PPD) dated 23.07.2020 of Department of Expenditure, Ministry of Finance, Govt. of India for further details and all the requirement will be in accordance with this memorandum.



General Manager (Technical)