

CORRIGENDUM - 13

Dated: 14.12.2020

Request for proposal (RFP) for Selection of Master ETC Service Provider at National Highways Fee Plazas

RFP Reference No.: IHMCL/Master ESP/2020/01 published on dated 25.06.2020

Sl. No.	Section/ Reference	Original/Previous Clause	Updated Clause												
1.	Clause 5.18.18, Intellectual Property Rights	The Successful Bidder agrees that work done by the Successful Bidder including but not limited to all information, reports, studies, flow charts, diagrams, drawings, technical specifications, estimates, design calculations, patents, trademarks, service marks, logos, get-up, trade names, internet domain names, blue prints, copyrights and other intangible and tangible material of any nature whatsoever produced by or as a result of any of the Services rendered by the Successful Bidder shall be the sole and exclusive property of the IHMCL. In furtherance thereof, the Successful Bidder agrees to grant, assign, transfer to IHMCL all rights, title and interest of any kind, in and to any work produced out of the Services rendered hereunder. The Successful Bidder shall not be entitled to make use of any of the work produced by the Successful Bidder while rendering Services in terms of this Contract save and except as may be expressly permitted in writing by IHMCL or as provided herein.	<p>The revised Clause 5.18.18 is as under:</p> <p>All IPR including the source code and materials developed or otherwise obtained independently of the efforts of a Party under this Agreement (“pre-existing work”) including any enhancement or modification thereto shall remain the sole property of that Party. During the performance of the services for this agreement, each party grants to the other party (and their sub-contractors as necessary) a non-exclusive license to use, reproduce and modify any of its pre-existing work provided to the other party solely for the performance of such services for duration of the Term of this Agreement. Except as may be otherwise explicitly agreed to in a statement of services, upon payment in full, the Implementation Agency should grant Purchaser a non-exclusive, perpetual, fully paid-up license to use the pre-existing work in the form delivered to Purchaser as part of the service or deliverables only for its internal business operations. Under such license, either of parties will have no right to sell the pre-existing work of the other party to a Third Party. Purchaser’s license to pre-existing work is conditioned upon its compliance with the terms of this Agreement and the perpetual license applies solely to the pre-existing work that bidder leaves with Purchaser at the conclusion of performance of the services.</p>												
2.	Key dates	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Event Description</th> <th style="text-align: left;">Date</th> </tr> </thead> <tbody> <tr> <td>Bid Due Date for submission of e-tender portal</td> <td>15th December 2020 up to 15:00 hrs IST</td> </tr> <tr> <td>Opening of Technical Bids</td> <td>16th December 2020 16:00 hrs IST</td> </tr> </tbody> </table>	Event Description	Date	Bid Due Date for submission of e-tender portal	15th December 2020 up to 15:00 hrs IST	Opening of Technical Bids	16th December 2020 16:00 hrs IST	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Event Description</th> <th style="text-align: left;">Date</th> </tr> </thead> <tbody> <tr> <td>Bid Due Date for submission of e-tender portal</td> <td>22nd December 2020 up to 15:00 hrs IST</td> </tr> <tr> <td>Opening of Technical Bids</td> <td>23rd December 2020 16:00 hrs IST</td> </tr> </tbody> </table>	Event Description	Date	Bid Due Date for submission of e-tender portal	22nd December 2020 up to 15:00 hrs IST	Opening of Technical Bids	23rd December 2020 16:00 hrs IST
Event Description	Date														
Bid Due Date for submission of e-tender portal	15th December 2020 up to 15:00 hrs IST														
Opening of Technical Bids	16th December 2020 16:00 hrs IST														
Event Description	Date														
Bid Due Date for submission of e-tender portal	22nd December 2020 up to 15:00 hrs IST														
Opening of Technical Bids	23rd December 2020 16:00 hrs IST														

Annexure -1: Bid Securing Declaration Form

(To be submitted by Lead Bidder in the Letter head)

Date: _____

RFP Ref. _____

To,
COO,
IHMCL

I/We. The undersigned, declare that:

I/We understand that, according to your conditions, bids must be supported by a Bid Securing Declaration.

I/We accept that I/We may be disqualified from bidding for any contract with you for a period of one year from the date of notification if I am /We are in a breach of any obligation under the bid conditions, because I/We

- a) have withdrawn/modified/amended, impairs or derogates from the tender, my/our Bid during the period of bid validity specified in the form of Bid; or
- b) having been notified of the acceptance of our Bid by the purchaser during the period of bid validity (i) fail or reuse to execute the contract, if required, or (ii) fail or refuse to furnish the Performance Security, in accordance with the Instructions to Bidders.

I/We understand this Bid Securing Declaration shall cease to be valid if I am/we are not the successful Bidder, upon the earlier of (i) the receipt of your notification of the name of the successful Bidder; or (ii) thirty days after the expiration of the validity of my/our Bid.

Signed: (insert signature of person whose name and capacity are shown)

in the capacity of (insert legal capacity of person signing the Bid Securing Declaration)

Name: (insert complete name of person signing the Bid Securing Declaration)

Duly authorized to sign the bid for an on behalf of (insert complete name of Bidder)

Dated on _____ day of _____ (insert date of signing)

Corporate Seal (where appropriate)