



OFFICE OF THE PROJECT DIRECTOR
U P STATE GANGA RIVER CONSERVATION AGENCY
2-LAL BAHADUR SHASTRI MARG, LUCKNOW-226001

F No. 550 / 358/SGRCA/OM&M/07

dated- 21, June 2018

Addendum 2

(SECTION-VII)

CONDITIONS OF PARTICULAR APPLICATION

(These conditions are to be read with the ITB and Conditions of Contract set out in RFP/ Bid Document)

Clause of RFP/ Bid Document	As per RFP	Amendment/Clarification
Section II, ITB, Clause 3.10	<p>3.10. Qualification Requirements: as per RFP/ Addendum 1</p> <p>Technical Capacity: as per RFP/ Addendum 1</p> <p>Similar Works: as per RFP/ Addendum 1</p>	<p>3.10. Qualification Requirements: Further added as under:</p> <p>Technical Capacity: Further added as under: (b) Experience of each Project Should be of minimum 1 year. (c) Experience of each Project Should be of minimum 1 year.</p> <p>Similar Works: - Further added as under: "Construction means - Civil Construction including E&M (Electrical & Mechanical) works, installation, testing and commissioning of sewage treatment plants." "Most Recent Projects Means - Projects of (FY 2016-17, FY 2015-16, FY 2014-15, FY2013-14, FY2012-13, FY 2011-12, FY 2010-11)"</p>
Section II, ITB, Clause 5.5	<p>5.5. Required Surety and Letter of Credit</p> <p>The Bidder shall provide a letter of intent from a bank as specified in RFP or other banking institution (Bid Form 6) indicating that the bank is highly confident that when full application is made by the Bidder, if the Employer so elects, the bank will furnish the required</p>	<p>5.5. Required Surety and Letter of Credit- The Successful Bidder shall provide a letter of intent from a bank as specified in RFP or other banking institution (Bid Form 6) indicating that the bank is highly confident that when full application is made by the Bidder, if the Employer so elects and issue LOA, the bank will furnish the required letter of credit, as security for the performance of the Agreement. <i>(To be submitted by</i></p>

	letter of credit, as security for the performance of the Agreement.	<i>successful bidder before Signing of Contract)</i>
Section IV Conditions of Contract, Clause 10	10. Employer's and Contractor's Risks: as per RFP	<p>10. Employer's and Contractor's Risks: Further added as under:</p> <p>10.2 Limitation of Liability Expect in cases of criminal negligence or willful misconduct, (a)The Contractor shall not be liable to the Employer in contract, tort, or otherwise, for any indirect or consequential loss or damage, loss of use, loss of production, or loss of profits of interest costs, provided that this exclusion shall not apply to any obligation of the Contractor to pay liquidated damages to the Employer; and (b)The aggregate liability of the Contractor to the Employer, whether under the Contract, in tort or otherwise, shall not exceed the aggregate of the total Contract Price (including the Monthly payment during the Operations Period) and the total available Performance Incentive Compensation, provided that this limitation shall not apply to any obligation of the Contractor to indemnify the Employer with respect to patent infringement.</p>
Section IV Conditions of Contract, Clause 26	Deleted	<p>Further, added as under:</p> <p>26.1 Change of Law: "If, after a date which is 30 days, prior to the Submission Deadline in the Bidding Documents, in the Country, any law, regulation, ordinance, order or by-law having the force of law is enacted, promulgated, abrogated or changed, which shall be deemed to include any change in interpretation or application by the competent authorities, that subsequently affects the costs and expenses of the Contractor or the Time for Completion, the Contract Price Shall be Correspondingly increased or decreased, or the Time for Completion Shall be reasonably adjusted to</p>

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		the extent that the Contractor has thereby been affected in the performance of any of its obligations under the Contract. Notwithstanding the foregoing, such additional or reduced costs shall not be separately paid or credited if the same has already been accounted for in the Contract price adjustment/Escalation provisions where applicable, in accordance with the contract condition if so provide."
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Note: Other RFP/ Bid Document Terms and Conditions will remain Same.


Add. Project Director
SGRCA
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