

**Directorate of Legal Metrology**  
**FOOD, SUPPLIES & CONSUMER WELFARE DEPARTMENT**  
**GOVT. OF ODISHA, KHANDAGIRI, BHUBANESWAR**

No. DLM-T-5/18/3675

Dated: 29-11-2018

**Procurement of Selection of service provider for Digital Signing Component for Directorate of Legal Metrology (DLM)**  
**RFP No. DLM-T-5/18/3585 Dt. 22- Nov-2018**

**The clarification / response of the RFP "Selection of service provider for Digital Signing Component for Directorate of Legal Metrology (DLM)" is provided in this corrigendum.**

SN	Tender Document Ref Page No. & Clause No.	Content of Tender requiring clarifications	Bidder's Query	DLM Odisha Response
1	1.1. Eligibility Criteria (Point No. - 3, 4, 5, 7), Page-5	<p>3) Bidder should have implemented PKI component in minimum 3 Projects or given license to minimum 3 companies</p> <p>4) The bidder should have Implemented / Operationalized at least One IT Project in the domain of Digital Signatures with PKI based solution for minimum project value of Rs. 30 lakhs or above</p> <p>5) The bidder should be a CA licensed by the CCA for providing CA operations in India since last 3years</p> <p>7) Bidder should be an OEM or an Authorized partner of OEM for all the products offered in the bid for which Authorization letter is required to be submitted.</p>	<p>Request you to consider the Pre-Qualification criteria to be fulfilled by the Bidder/Authorized OEM Partner in case the bidder is an authorized partner of the OEM declared by the OEM themselves.</p> <p>a) Project value for PKI based solution of Rs. 30 Lakh or above  b) Implementing PKI Component in minimum 3 projects or given license to minimum 3 companies</p>	Accepted
2	2.2.b File Signing and Verification, Page-10	PKI solution should integrate with the DLM Application in a secured manner	Kindly clarify what documentation is required for this ?	Solution should be certified by a cert-in certified Agency
3	1.1. Eligibility Criteria (Point No. - 5), Page-5	5) The bidder should be a CA licensed by the CCA for providing CA operations in India since last 3years	This requirement can only be served by the OEM only. Request you to allow bidder/Authorized OEM Partner for general participation.	Accepted
4	General Clause	Limitation of Liability	Please include the following clause "Neither party shall be liable to the other party for any indirect or consequential loss or damage, loss of use, loss of production, or loss of profits or interest costs and Except in cases of gross negligence or willful misconduct the aggregate liability of the Supplier to the Purchaser, whether under the Contract, in tort, or otherwise, shall not exceed the amount specified in the Contract Price. Provided that this limitation shall not apply to obligation of the Supplier to indemnify the Purchaser with respect to patent infringement."	Will be finalized prior to signing of contract
5	General Clause	Termination Clause	<b><u>Request you to include the following clause under Termination clause:</u></b> Bidder/Service Provider may terminate this Agreement and / or any SOW upon written notice to the tenderer/Purchaser if the tenderer/Purchaser commits a default or material breach and does not remedy the default or material breach within 30 days of notice from the Bidder/Service Provider.	Will be finalized prior to signing of contract

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6	General Clause	Non-Solicitation Clause	Request you to include the following clause under Non-Solicitation- Neither party shall, directly or through a third party contractor, solicit/induce/entice away or endeavor to solicit/induce/entice away an employee of the other party who is directly involved with Agreement, for 5 years after such resource has ceased to be engaged for performance of services under this Agreement. In case of a breach of this covenant, the defaulting party shall be liable to pay the aggrieved party a sum equivalent to 12 months CTC of such employee as absorbed by the defaulting party, and such sum shall be paid within 30 days of hiring of the concerned employee. Notwithstanding the foregoing, this restriction either party may hire (a) personnel who independently respond to indirect solicitation (such as general newspaper advertisements, employment agency referrals, and internet postings) not targeting the personnel of the other Party and (b) personnel who have separated or have been separated from the services of a party provided that the hiring Party did not solicit such separation.	Not accepted
7	2.2.b File Signing and Verification/ Page no-10	PKI solution should integrate with the DLM Application in a secured manner	Does the OEM/Bidder need to provide any Vulnerability Assessment Check Certificate/document?	Solution should be certified by a cert-in certified Agency
8	1.1. Eligibility Criteria (Point No. - 3, 4, 5, 7)/ Page no-5	<p>3) Bidder should have implemented PKI component in minimum 3 Projects or given license to minimum 3 companies</p> <p>4) The bidder should have Implemented / Operationalized at least One IT Project in the domain of Digital Signatures with PKI based solution for minimum project value of Rs. 30 lakhs or above</p> <p>5) The bidder should be a CA licensed by the CCA for providing CA operations in India since last 3years</p> <p>7) Bidder should be an OEM or an Authorized partner of OEM for all the products offered in the bid for which Authorization letter is required to be submitted.</p>	<p>In case, the bidder is an Authorized partner of the OEM, can the OEM's experience be considered for the below criteria?</p> <p>a) CA license under CCA  b) Project value for PKI based solution of Rs. 30 Lakh or above  c) Implementing PKI Component in minimum 3 projects or given license to minimum 3 companies</p> <p>Please confirm the above clauses for Bidder/OEM.</p>	Accepted
9	Clause no – 1 and 5	The bidder should be a company registered under the Indian Companies Act and must be in operation since last 3 years as on date of submission of Bid.	Our company is Established and registered in 2016 and become Certifying authority in July – 2018. Hence we request you to allow us to submit the bid and provide relaxa on in eligibility criteria.	As per RFP
10	Clause no – 2	The bidder must have average annual turnover of Rs. 90 lakhs or above in last three financial years ending at 31/03/2018.	Our company is Established and registered in 2016 and, Thus we can only furnish profit and loss statement for 2016-2017, 2017-2018 so we request you to allow us to submit the bid and provide relaxation in eligibility criteria.	As per RFP

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11	Clause no – 3 and 4	Should have implemented PKI component in minimum 3 Projects or given license to minimum 3 companies	We are new company and we are using same PKI component in our internal applications. We assure that the component will be deployed in your application in suggested time period. Request you to provide relaxation in eligibility criteria.	As per RFP

**N.B.**

1. All other terms & condition as desired in ToR shall remain unchanged.
2. There will not be any pre-bid conference further

**Sd/-J.K. Lakra**  
**Controller , Legal Metrology**