

## THE HIGH COURT OF KERALA

Ernakulam-682031

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Date: 09-04-2019

No: H4-31667/19

### E- TENDER NOTICE

E-Tenders are invited for the Annual Maintenance Contract of 258 Nos of Wipro Computers installed in the High Court.

Item	Quantity	Specifications
Wipro Super Genius Computers	258 Nos	DDR3 (4 G.B) HDD (500 GB) INTEL i7-2600, 3.40GHz Monitor: Model WLA180twe(18.5")

Last date for receipt of tenders is at 11 am on 14/05/19. Late tenders will not be accepted.

The tenders will be opened at 11 am on 21/05/19.

Details of the requirements and the conditions governing their supply can be obtained from e-procurement system portal of Kerala State (<https://etenders.kerala.gov.in>) till 11 am on 14/05/19.

#### The BID should contain the following documents

1. Cost of Tender form ₹1,770/- inclusive of GST @ 18% and Earnest Money Deposit (EMD) ₹9,471/- (1% of the tender value) which must be submitted online through SBI Internet Banking or SBI-NEFT/RTGS.
2. Scanned copy of the preliminary agreement executed and signed in Kerala stamp paper of value of ₹200/- (A format of the agreement is given in the tender documents).
3. Undertaking for the acceptance of tender conditions (Form of tender and general conditions are given in the tender documents).
4. List of Government departments and public sector firms where the AMCs have been undertaken by the firm including the number of computers under AMC.
5. Terms and conditions of the supplier.
6. Bill of Quantity (BOQ) Price list (should be in the given .xls format).

#### Terms and Conditions

1. Date of opening of tender : In case the proposed date declared as a holiday, the tender will be opened on the next working day.

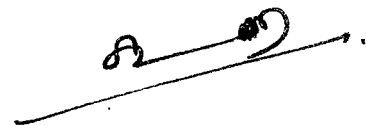
2. The successful bidder should furnish an Agreement and Security Deposit in the form of Bank Guarantee/DD from a Nationalized Bank for an amount @ 5% of the order value.
3. The final acceptance of the tenders rests entirely with the High Court who do not bind themselves to accept the lowest or any tender.
4. The Tender procedure will be made as per Rules mentioned in the Revised Store Purchase Manual.
5. The bidders should participate in this tender procedure through E-Tendering system. Tender cost and EMD should be submitted only through online.

#### **Service Conditions**

1. The AMC charges should be inclusive of charges of two Service Engineers who shall be stationed at the High Court premises by the contractor.
2. Enhancement or decreases of taxes, duties or prices of components, etc., will not affect the AMC charges during the entire period of AMC, no difference shall be paid or claimed as a result of the above.
3. The High Court, if unsatisfied by the performance of the contractor can cancel the contract, at any time.
4. The High Court shall be entitled to assign this support arrangement to other external agencies, if unsatisfied by the services of the contractor and the contractor will be held liable for the expenditure incurred and the loss, if any sustained to the High Court.
5. Only those damages arising out of negligence on part of the High Court shall be considered as physical damages and all else will be covered within the maintenance responsibility of the contractor.
6. Two service Engineer shall be maintained at the High Court premises by the contractor. It is the responsibility of the Contractor to provide qualified and experienced Service Engineers, subject to satisfaction of the High Court.
7. There shall be no repair, if replacement is insisted. Refurbished spares are not acceptable except SMPS. High Court shall have the last word on acceptability of spares.
8. The contract must provide full coverage to products and the responsibility of the contractor shall be to make sure that the product is in working condition, subject to satisfaction of the High Court.
9. The contract shall include trouble shooting of all hardware and software parts of the product.
10. Service and maintenance should be carried out within the premises of High Court.
11. The 258 Nos of computers were purchased in 2013 hence it is the responsibility of the intending tenderers to inspect and collect details of the equipments from the IT Section(0484-2562540), High Court before submitting the tenders. No variations in maintenance conditions will be allowed after the receipt of the tenders.

#### **Vendor Requirements for AMC**

1. The vendor shall have sufficient infrastructure to cater the service; they shall have sufficient financial and manpower strength in specific terms as follows;
  - a. Turn over of the vendor during the last financial year shall be 5 times the value of the contract.
  - b. The vendor shall have well equipped service centre in Cochin city with sufficient communication facilities such as land line, mobile phone, fax and on-line complaint registration facilities.
  - c. The vendor shall provide compliant booking over phone during 8 a.m to 8 pm on all Government working days.
  - d. They shall have experience in same field for minimum three years and they should have handled a minimum of 3 AMCs in the past.



**A. SHAJAHAN**  
**REGISTRAR (ADMINISTRATION)**

Place : Ernakulam

Date : 09/04/19

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## GENERAL TERMS & CONDITIONS FOR E-PROCUREMENT

This tender is an e-Tender and is being published online for the Annual Maintenance Contract of 258 Nos of Wipro Computers . The tender is invited in single cover system from the registered and eligible firms through e-procurement portal of Government of Kerala (<https://www.etenders.kerala.gov.in>). Prospective bidders willing to participate in this tender shall necessarily register themselves with above mentioned e-procurement portal. The tender timeline is available in the critical date section of this tender published in [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in).

### A). ONLINE BIDDER REGISTRATION PROCESS:

Bidders should have a Class II or above Digital Signature Certificate (DSC) to be procured from any Registration Authorities (RA) under the Certifying Agency of India. Details of RAs will be available on [www.cca.gov.in](http://www.cca.gov.in). Once, the DSC is obtained, bidders have to register on [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in) website for participating in this tender. Website registration is a onetime process without any registration fees. However, bidders have to procure DSC at their own cost.

**Bidders may contact e-Procurement support desk of Kerala State IT Mission over telephone at 0471-2577088, 2577188, 2577388 or 0484-2336006, 2332262- through email: [etendershelp@kerala.gov.in](mailto:etendershelp@kerala.gov.in) for assistance in this regard.**

### B). ONLINE TENDER PROCESS:

The tender process shall consist of the following stages:

- i. Downloading of tender document:** Tender document will be available for free download on [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in). However, tender document fees shall be payable at the time of bid submission as stipulated in this tender document.
- ii. Publishing of Corrigendum:** All corrigendum shall be published on [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in) and shall not be available elsewhere.
- iii. Bid submission:** Bidders have to submit their bids along with supporting documents to support their eligibility, as required in this tender document on [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in). No manual submission of bid is allowed and manual bids shall not be accepted under any circumstances.

### C). DOCUMENTS COMPRISING BID

The tender is invited in single cover system and the cover should contain the following:

- (i) Scanned copy of the preliminary agreement executed and signed in Kerala Stamp Paper of value ₹200/- (A format of the agreement is given in the tender documents).
- (ii) Undertaking for the acceptance of tender conditions. (Form of tender and general conditions are given in the tender documents).
- (iii) List of Government departments and public sector firms where the AMCs have been undertaken by the firm including the number of computers under AMC.
- (iv) Terms and conditions of the supplier.
- (v) BOQ – Price List (should be in the given .xls format).

**D). TENDER DOCUMENT FEES AND EARNEST MONEY DEPOSIT (EMD):**

The Bidder shall pay, a tender document fee of ₹1,770/- (Rupees One Thousand Seven Hundred Seventy Only) inclusive of GST @ 18% and Earnest Money Deposit of ₹9,471/- (Nine Thousand Four Hundred and Seventy One Only). The Bid security is required to protect the purchaser against risk of Bidder's conduct, which would warrant the forfeiture of security and the cost of the tender form be fixed as

**Online Payment modes:** The tender document fees and EMD can be paid in the following manner through e-Payment facility provided by the e-Procurement system:

- i. **State Bank of India (SBI) Internet Banking:** If a bidder has a SBT internet banking account, then, during the online bid submission process, bidder shall select SBT option and then select Internet banking option. The e-Procurement system will re-direct the bidder to SBT's internet banking page where he can enter his internet banking credentials and transfer the tender document and EMD amount.
- ii. **National Electronic Fund Transfer (NEFT):** If a bidder holds bank account in a different bank, then, during the online bid submission process, bidder shall select NEFT option. An online remittance form would be generated, which the bidder can use for transferring amount through NEFT either by using internet banking of his bank or visiting nearest branch of his bank. After obtaining the successful transaction receipt no., the bidder has to update the same in e-Procurement system for completing the process of bid submission. Bidder should only use the details given in the Remittance form for making a NEFT payment otherwise payment would result in failure in e-Procurement system.

**As NEFT payment status confirmation is not received by e-Procurement system on a real time basis, bidders are advised to exercise NEFT mode of payment option at least 48 hours prior to the last date and time of bid submission to avoid any payment issues.**

NEFT payment should done according to following guidelines:

i. **Single transaction for remitting Tender document fee and EMD:**

Bidder should ensure that tender document fees and EMD are remitted as one single transaction.

- ii. **Account number as per Remittance Form only:** Account No. entered during NEFT remittance at any bank counter or during adding beneficiary account in Internet banking site should be the same as it appears in the remittance form generated for that particular bid by the e-Procurement system. Bidder should ensure that tender document fees and EMD are remitted only to the account number given in the Remittance form provided by e-Procurement system for that particular tender.

Bidders must ensure that the banker inputs the Account Number (which is case sensitive) as displayed in the Remittance form. No additional information like bidder name, company name, etc. should be entered in the Account No. column along with Account No. for NEFT remittance.

- iii. **Only NEFT Remittance Allowed:** RTGS payments, Account to Account transfers, State Bank Group Transfers (GRPT) or Cash payments are not allowed and are treated as invalid mode of payments. Bidder must ensure that the banker does NEFT transaction only irrespective of the amount and specially instruct the banks not to convert the payment type to RTGS or GRPT.

- iv. **Amount as per Remittance form:** Bidder should ensure that the amount being remitted is neither less nor higher than the amount shown in remittance form.
- v. **UTR Number:** Bidders should ensure that the remittance confirmation (UTR number) received after NEFT transfer should be updated as it is, in the e-Procurement system for tracking the payment.
- vi. **One Remittance Form per Bidder and per Bid:** The remittance form provided by e-Procurement system shall be valid for that particular bidder and bid and should not be re-used for any other tender or bid or by any other bidder. Any transaction charges levied while using any of the above modes of online payment has be borne by the bidder. The suppliers/contractor's bid will be evaluated only if payment status against bidder is showing "Success" during bid opening.

**D). SUBMISSION PROCESS:**

For submission of bids, all interested bidders have to register online as explained above in this document. After registration, bidders shall submit their Technical bid and Financial bid online on [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in) along with online payment of tender document fees and EMD. For page by page instructions on bid submission process, please visit [www.etenders.kerala.gov.in](http://www.etenders.kerala.gov.in) and click "Bidders Manual Kit" link on the home page.

**It is necessary to click on "Freeze bid" link/icon to complete the process of bid submission otherside the bid will not get submitted online and the same shall not be available for viewing/opening during bid opening process.**

**K.F.C. FORM 14**  
**(See Chapter VII, Article 143)**  
**FORM OF TENDER**

Sir,

I/we hereby tender to supply, under the annexed General conditions of contract, the whole of the article referred to and described in the attached specification and schedule, or any portion thereof as may be decided by the High Court of Kerala, at the rates quoted against the item. The articles will be delivered within the time and at the places specified in the schedule.

\*I/we am/are remitting/have separately remitted the required amount of Rs.....  
as earnest money.

Yours faithfully,

(Signature) \_\_\_\_\_

(Address) \_\_\_\_\_

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\*To be scored in cases where no earnest money deposit is furnished.

SPECIMEN FOR PRELIMINARY AGREEMENT

Articles of agreement executed on this the ..... day of ..... between the Registrar (Administration) (hereinafter referred to as "High Court of Kerala ") of the one part and Shri. .... (H.E. name and address of the tenderer) (hereinafter referred to as "the bounden") of the other part.

WHEREAS in response to the Notification No. H4-31667/19 dated 09/04/19 the bounden has submitted to the High Court a tender for the Annual Maintenance Contract of 258 Nos of Wipro Computers subject to the terms and conditions contained in the said tender.

WHEREAS the bounden has also deposited with the High Court a sum of ₹9,471/- as earnest money for execution of an agreement undertaking the due fulfillment of the contract in case his tender is accepted by the High Court .

NOW THESE PRESENTS WITNESS and it is hereby mutually agreed as follows:

- 1. In case the tender submitted by the bounden is accepted by the High Court and the contract for Annual Maintenance Contract of 258 Nos of Wipro Computers is awarded to the bounden, the bounden shall within 7 days of acceptance of his tender execute an agreement with the High Court incorporating all the terms and conditions under which the High Court accepts his tender.
2. In case the bounden fails to execute the agreement as aforesaid incorporating the terms and conditions governing the contract, the High Court shall have power and authority to recover from the bounden any loss or damage caused to the High Court by such breach as may be determined by the High Court by appropriating the earnest money deposited by the bounden and if the earnest money is found to be inadequate the deficit amount may be recovered from the bounden and his properties movable and immovable in the manner hereinafter contained.
3. All sums found due to the High Court under or by virtue of this agreement shall be recoverable from the bounden and his properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though such sums are arrears of land revenue and in such other manner as the High Court may deem fit.

In witness whereof Shri..... (H.E. name and designation) for and on behalf of the Registrar (Administration ) Bounden have hereunto set their hands the day and year shown against their respective signatures.

Signed by Shri. .... (date) ..... In the presence of witnesses:

- 1. ....
2. ....

Signed by Shri. .... (date) ..... In the presence of witnesses:

- 1. ....
2. ....