

# Corrigendum -II

**Tender Name:** Appointment of an agency for Application Maintenance Services (AMS) towards Development and Maintenance of SAP – ERP, HRMS, Payroll, ESS & Dashboard systems for 5 year

**Tender No.:** CGMIT/AMS/20-21/1 Ver 3.0 dtd. 04-12-2020

Sr. no.	RFP Reference	Existing Clause	Revised Clause
1.	Section 9 Terms & Conditions  9.7 Limitation of Liability	NIL	<b>Added:</b> <b>9.7 Limitation of Liability</b>  The Bidder's liability under the resultant Agreement shall be determined as per the Law in force for the time being. The Bidder shall be liable to MSEDCL for loss or damage occurred or caused or likely to occur on account of any act of omission on the part of the Bidder and its employees, including loss caused to MSEDCL on account of defect in goods or deficiency in services on the part of Bidder or his agents or any person / persons claiming through or under said Bidder. However, such liability of Bidder shall not exceed the total value of the Agreement.  This limit shall not apply to <ul style="list-style-type: none"><li>- Damages for bodily injury (including death) and damage to real property and tangible personal property for which the Bidder is legally liable.</li><li>- Any obligation of the bidder to indemnify the MSEDCL with respect to patent infringement.</li><li>- under any other provisions of the Contract which expressly impose a greater liability,</li><li>- in cases of fraud, willful misconduct or illegal or unlawful acts,</li><li>- in cases of acts or omissions of the Contractor which are contrary to the most elementary rules of diligence which a conscientious contractor would have followed in similar circumstances.</li></ul>