

Kuw/Cons/415/5/2013-Vol.V
Embassy of India
Kuwait

Corrigendum

Reference tender ID 20120-MEA-529680-1 dated 27th March, 2020, **on CPP Portal, and website of MEA and Embassy of India, Kuwait** and subsequent clarifications and Pre-Bid Conference clarifications, prospective bidders are hereby intimated for the following modification in the tender document

Sr.	Clause, Page ref	Original Clause	Revised clause
1	CHAPTER V: MANDATORY CRITERIA, para 7 point 'a' Page 7	If the Bidding Company proposes to implement the project in collaboration with a local business partner, details of partnership, including a copy of the Agreement, must be provided. Partner Company should have at least 50% of the net worth stipulated for the main Bidding Company. In addition, the local partner must also meet all the other eligibility requirements indicated in this RFP for the Bidding Company. A change in local partner will not be approved after the closure of the tender or during the period of Contract. However, in special circumstances, Ministry has the discretion to allow a change of partner subject to certain conditions on the basis of recommendation from the Mission. If the change in local partner is not approved by the Ministry, the bidding Company/Service Provider should work either with the previous partner or independently.	If the Bidding Company proposes to implement the project in collaboration with a local business partner, details of partnership, including a copy of the Agreement, must be provided. Partner Company should have at least 50% of the net worth stipulated for the main Bidding Company. In addition, the local partner must also meet all the other eligibility requirements indicated in this RFP for the Bidding Company. A change in local partner will not be approved after the closure of the tender or during the period of Contract. However, in special circumstances, Ministry has the discretion to allow a change of partner subject to certain conditions on the basis of recommendation from the Mission. If the change in local partner is not approved by the Ministry, the bidding Company/Service Provider should work either with the previous partner or independently.


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	<p>CHAPTER V: MANDATORY CRITERIA, para 7 point 'c' Page 7</p>	<p>The concept of 'Sponsor' (Passive partner) is not acceptable unless the sponsor also has the same criteria stipulated for local partner.</p>	<p>The concept of 'Sponsor' (Passive partner) is not acceptable unless the sponsor also has the same criteria stipulated for local partner. However, since according to local laws foreign entity cannot operate in Kuwait without any association with local sponsor. It is not necessary that local sponsor should meet all the criteria of the local partner. Further, the local sponsor (Passive partner) could be from different industry / business than the bidder.</p>
	<p>CHAPTER V: MANDATORY CRITERIA, para 7 point 'q.' Page 9</p>	<p>A local partner is a company which has been working in the said country for at least three years and is registered as a Company as per the local laws. Any company which is registering as a local company only for the purpose of taking part in the present tender process will not be eligible for consideration as a local partner. A Joint Venture Company is a company as defined/understood under the Companies Act 2013. Wherever a dispute arises or a clarification is required, the provisions of Companies Act 2013 will be relied upon, unless specifically elaborated in the RFP document or any other tender documents related to the outsourcing of CPV services.</p>	<p>A local partner is a company which has been working in the said country for at least three years and is registered as a Company as per the local laws. Any company which is registering as a local company only for the purpose of taking part in the present tender process will not be eligible for consideration as a local partner. A Joint Venture Company is a company as defined/understood under the Companies Act 2013. Wherever a dispute arises or a clarification is required, the provisions of Companies Act 2013 will be relied upon, unless specifically elaborated in the RFP document or any other tender documents related to the outsourcing of CPV services.</p>

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