

TERMS AND CONDITIONS OF e-GP SYSTEM USER AGREEMENT

National e-Government Procurement (e-GP) portal (www.promise.lk) of the Government of Sri Lanka has been developed, owned and operated by e-GP Secretariat(E-GPS), Ministry of Finance for carrying out the procurement activities of the public agencies at all levels (Procuring Entities) of the Government of Sri Lanka.

For accessing and using e-GP user services, you shall be deemed to have agree with the terms and conditions given below.

Registration and Email Verification

Your email will be used as the username for accessing e-GP System. Upon submission of your basic user identity information by clicking on the Register button at the Vendor Registration page of e-GP portal, you will be directed to the Vendor registration fee payment page. Upon successful completion of the payment you will receive in the email provided by you, an email from noreply@promise.lk which contains details of the registration. If the registration was unsuccessful the vendor will receive an email containing temporary login credentials where the vendor will have to login to the system with the temporary credentials and perform the registration payment. After the successful registration on the vendor's part, if the Administrator enables the vendor account, an email will be sent to the address associated to the account, containing the login credentials (username which is your email and the password). You need to enter the email and password and press the Login button. If you correctly enter the information, this process will complete the email verification process successfully. It is important that vendor should certify that the information submitted is correct and that there are no mis-presentation of information or wrong information included in this submission. The vendor needs to accept that the documents submitted with the registration are true and correct.

Also the Vendors/Consultants should certify that the name of the organization included in this registration application is not on the sanction lists of the Government of Sri Lanka, Asian Development Bank, African Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank or the World Bank.

Credential Documents Verification

Vendors/Consultants may need to upload the original credential documents requested during online registration process.

Procuring entities, development partners, payment network partners (banks and others) will be registered through official communication with E-GPS/MOF, Ministry of Finance.

Maintaining Confidentiality

Vendors/Consultants are responsible for maintaining the confidentiality of their password and are fully responsible for all activities that occur using Vendors/Consultants account (e-mail ID and password). e-GP system does not store user passwords, but it will store only the generated irreversible hash value of the password as e-signature. Further e-GP system will use One Time Password (OTP) sent to the registered mobile number of the vendor in the instances where individual verifications are required. User must notify E-GPS/MOF of any unauthorized use of your password or any other suspected security breaches. Users must ensure that they appropriately log-out every time from their unattended computers or from

the computers you are using in public places. E-GPS/MOF is not liable for any loss or damage arising from such compromise of your user account and password.

The e-GP system allows modifying, updating their user details including password. But it does not allow to change the name of the company provided during registration process.

Internet Browser and Users' Computer Compatibility

To access the e-GP system securely, users should use appropriate web browsers and their associated security settings. However, because of the rapid development of new browsers and new security measures come up frequently, users need to update or install new components and configuration settings as and when these come into effect.

Applicable Time

The e-GP system shall use the e-GP data center server time as the reference time for all time-bound activities of procurement processes. E-GP data center is in E-GPS/MOF, Ministry of Finance, Colombo, Sri Lanka.

Proprietary Rights

The materials located on this e-GP web portal including the information and software programs (source code) are copyrighted to E-GPS/MOF, Ministry of Finance, the Government of Sri Lanka, and operating system, tools, and other software and contents used for the operation of e-GP Portal are licensed to or controlled by E-GPS/MOF, Ministry of Finance, the Government of Sri Lanka.

Auto Alerts

Users will receive automatic email alerts when new bids are published which are in their interested range.

Registration Charges

Vendors/Consultants will be charged Rs.5000 for the user registration, and annually it should be renewed. Once the Vendors/Consultants are registered with the system they are eligible to bid for bids floated by all government entities. Rs.5000 will be charged each year for renewal of their account. For international Bidders and Consultants, registration fee is USD \$50 (US Dollars fifty) and annual renewal fee is USD \$50 (US Dollars fifty Only). Users can make payments via credit/debit cards or through bank transfers to e-GP secretariat Sri Lanka.

Bid Submission

Vendors/Consultants are responsible to plan their time sufficient to complete the documents to upload, third party transactions like Bid Security preparation and submission through banks, verify completeness of Bid, and final submission of Bid Documents for the specific Bids. Before final submission, the Bidder/Applicant/Consultant may upload documents, fill-in required online forms, modify and verify the documents, and complete other activities part by part. But attempt to submit incomplete Bids will not be allowed by the e-GP System.

Payment Process

e-GP system use Lanka Clear services to obtain bid security, advance Security and Performance Bond and other contractual payment purposes as a gateway. Licensed Banks and other payment service providers get secured access to the e-GP system Lanka Clear where, the banks can carry out the financial transactions related to public procurement collecting fees and charges, providing guarantees, tracking the guarantees, making payment transactions, and other service fees, etc.

Therefore, when the bank guarantees and securities (Bid Security, Performance Security, etc.) are issued by the bank the same will be immediately updated in the e-GP System.

When procuring entities or E-GPS/MOF instruct the bank for releasing the guarantees or securities, and deposit in specific procuring Entity or E-GPS/MOF accounts, the bank will carry out the transactions, and update the transaction information in the e-GP system.

The E-GPS/MOF shall not be responsible for the charges made by banks as per the banking rules while vendors are using e-GP system.

International Bidders/Consultants must communicate with the banks of e-GP online payment network for updating their payment details in e-GP system. Any charges incurred for payment transfer, communication or any currency conversion should be paid by the Vendors/Consultants themselves.

In case of bank guarantee, securities issues by international banks must be endorsed by the local scheduled bank in Sri Lanka and the bank must be a member of e-GP Online Payment Network in Sri Lanka.

Virus and Integrity of Documents

If the electronic records entered online and files containing the Bid/ application/ proposal are corrupt, contain a virus, or are unreadable for any reason, the Bid will not be considered. It is strictly the responsibility of the Vendors/Consultants (national or international) to ensure the integrity, completeness and authenticity of the Bid /Proposal, and also should comply with the applicable laws of Sri Lanka.

External Web References

E-GPS/MOF does not take any responsibility of its availability and authenticity of the external third party web references, links referred in the e-GP Portal, as E-GPS/MOF does not have any control over those websites.

Operation, Maintenance and Management

The E-GPS/MOF reserves the right to outsource operation, maintenance and management services of e-GP data center, e-GP system and other related services to any third party. The users of e-GP system are to be obliging such any agreement with any outsourced firm/company.

Governing Law

This terms and conditions of use agreement of e-GP portal shall all be governed by the laws of Sri Lanka applicable to agreements made and to be performed in Sri Lanka.

Government of Sri Lanka and E-GPS/MOF reserve the right to initiate any legal action against those users violating any of the above mentioned terms & conditions of e-GP system user agreement.

Changes in e-GP System and Terms and Conditions of Use

E-GPS/MOF shall have the right to modify clauses of the terms and conditions without prior notice.

E-GPS/MOF reserves the right to modify, add, delete and/or change the functions, user interface, contents, and other items in e-GP portal at any time without any prior notice. User is responsible to use the updated e-GP portal functions and terms and conditions of use.