

Guidelines w.r.t 'Subcontracting' and OEMs in the Model RfP for the appointment of ITIA in states under R-APDRP dated 19.08.2010

(a) Guidelines for operation of Clause no. 19.8 'Subcontracting' of Section VII 'General Conditions of Contract' Clause no. 4.1 (d) 'Eligible Bidders' of Section II 'Instructions to Bidders' of RFP document issued by the State/Utility under R-APDRP

Before proceeding for addition/change of sub-contractor (from the empanelled list of vendors) the state/utility must ensure the following:

- (i) The addition/change of sub-contractor is necessary to meet the completion schedule of the Project and not for commercial benefit of the Bidder,
- (ii) The sub-contractor chosen by SI is suitable addition/change and is to the satisfaction of state/utility at no additional cost
- (iii) The solution/hardware/software/other features to be provided by the new sub-contractor should not be inferior to the one supposed to be provided by earlier sub-contractor (if applicable)
- (iv) SI should terminate all agreements/contacts other arrangements with earlier sub-contractor(if applicable)
- (v) In case the need is established for addition/change of sub-contractor, state/utility must seek and ensure the technical proposal and credentials of the proposed sub-contractor from SI and ensure that the marks scored upon evaluation of these credentials as per provision of RFP are not less than that of earlier sub-contractor. The comparison needs to be submitted to PFC/MoP along with proper justification & recommendation of state/utility for seeking clearance.
- (vi) All actions deemed necessary has been taken in this regard as per provisions of the contract and RAPDRP Guidelines.

(b) Guidelines for Replacement of OEM

Before proceeding for change of OEM the state/utility must ensure the following:

- (i) The change of OEM is necessary mainly for reasons such as end of life of product, vendor going out of business, non performance, long delivery schedule etc. and not for commercial benefit of the Bidder. The utility should intervene and take up with OEM to check the correctness of the facts,
- (ii) The OEM chosen by SI is suitable replacement and is to the satisfaction of state/utility at no additional cost,
- (iii) The solution/hardware/software/other features to be provided by the new OEM should not be inferior to the one supposed to be provided by earlier OEM,
- (iv) SI should terminate all agreements/contacts other arrangements with earlier OEM

- (v) In case the need is established for replacement, state/utility must seek and ensure the technical proposal and credentials of the proposed OEM from SI and ensure that the credentials are as per provision of RFP and meet the specification requirements of SRS as on date of bid opening and the marks scored upon evaluation of these credentials are not less than that of earlier OEM. The comparison needs to be submitted to PFC/MoP along with proper justification and recommendation of State/Utility for seeking clearance.
- (vi) All actions deemed necessary has been taken in this regard as per provisions of the contract and RAPDRP Guidelines
