

Sub.: Clarification regarding GCC 15.1 of the Model RFP document for appointment of IT Implementing Agencies by Utilities

1.0 Clarification regarding GCC 15.1, Section VII of the Model RFP document for appointment of ITIA by Utilities.

Clause GCC 15.1 Section VII of the Model RFP document for appointment of ITIA reads -

'The prices quoted by the supplier shall be inclusive of all duties/taxes/levies. Responsibility for including all applicable taxes/duties/levies in the proposal lie with the bidder and the utility shall not be responsible for any error/omission on the part of the bidder. Payment of taxes/duties/levies shall not be made separately.'

In this regard the Utilities need to refer Clause GCC 13.2, Section VIII – Special Conditions of Contract of the Model RfP for the appointment of ITIA.

"Prices shall not be subject to any upward/downward revision on any account whatsoever throughout the period of contract. Provided that any revision in taxes, statutory levies, duties which is not occasioned due to any change in place, method and time of supply or non-performance / non-fulfillment of any condition of any exemption considered by the vendor at the time of proposal, shall be considered for price adjustments."

In this regard it is clarified that the above Clauses may be interpreted as follows:

A bidder (who has been appointed/ shall be appointed as ITIA after following the bidding process) while quoting the prices in the price bid included the taxes assumes that the Form-'C' shall be provided by the <Utility>. However, in the event the same cannot be provided to him (i.e. ITIA) due to its non applicability, the additional tax payable over and above the tax quoted by the bidder at the time of submission of bid shall be borne by the bidder himself and <Utility> shall not reimburse the same in any manner. In the event the same cannot be provided to him (i.e. ITIA) due to its unavailability, the additional tax payable over and above the tax quoted by the bidder at the time of submission of bid shall be borne by the Utility and same shall not be reimbursed under R-APDRP.