

Annexure – 1.9R

Memorandum of Understanding for Specialist Sub-Contractor (Rolling Stock/ System Integrator)

(MOU FOR SPECIALIST SUB-CONTRACTOR TO BE **SUBMITTED ON BIDDER'S
LETTER HEAD**)

This memorandum of understanding (hereinafter referred to as MOU) is made and entered into this ____ day of _____ by and between _____ (Bidder) having their registered office at _____ (Hereinafter referred to as Bidder)

And

(Specialist Sub-contractor) having its registered office at _____ (hereinafter referred to as Specialist Sub-contractor) hereinafter collectively referred to as the parties and individually as a Party.

AND WHEREAS, Director (Systems), MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY Mumbai , hereinafter referred to as the "Employer") has invited bids for "Design, Manufacture, Supply, Installation, Integration, Testing And Commissioning Of Rolling Stock, Communication Based Signalling & Train Control, Telecommunication, Platform Screen Doors And Depot Machinery & Plant Of Line 5 (Phase 1 – Kapurbawadi - Kasheli - Dhamankar Naka & Phase 2 -Dhamankar Naka – Bhiwandi-Kalyan Apmc) Of Mumbai Metro Rail Project Of MMRDA Including 5 Years Of Comprehensive Maintenance After 2 Years Of Defect Liability Maintenance Period" (hereinafter referred to as the: Project").

WHEREAS M/s,(Bidder) is desirous to submit the Bid Application for the Project. The condition of the Bid Document permits collaboration with a Specialist Sub-contractor.

WHEREAS, M/s. (Bidder) intends to associate with (Rolling Stock/ System Integrator Specialist Sub-contractor) in the form of Collaboration, being an experienced Rolling Stock/ System Integrator, agrees to provide services with (Bidder) for the supply, installation, testing and commissioning with 2 Years DLMP and 5 years of Comprehensive Maintenance and to give necessary training for the said project.

NOW, THEREFORE, in consideration of the mutual promise and covenants set forth herein, the Parties hereby agree that;

- 1) (Bidder) will include (Specialist Sub-contractor for Rolling Stock/ System Integrator) in the Bid submitted to the EMPLOYER as a Specialist Sub-contractor. The Specialist Sub-contractor shall meet the requirements for "SECTION 3 Qualification Criteria"
 - a) Sr. 1. Eligibility,
 - b) Sr. 2. Historical Contract Non-Performance
 - c) Sr 4.2 Specific Experience in Key activities (Whichever is applicable)
 - d) Sr 4.2 A **Specific Experience in Key activities -Manufacturing of EMU/ MEMU/ Metro cars- for Rolling Stock**
Sr 4.3 Available Bid Capacity-Manufacturing ABCM (Rolling Stock)
OR
Sr 4.2 B **Specific Experience in Key activities System Integrator**
- 2) This MOU is considered to be irrevocable for the present project. It is hereby agreed that both parties will work in a joint effort to bid for the Tender, and if successful, (Specialist Sub-contractor) agrees to provide services with (Bidder) for the supply, installation, testing and commissioning with 2 Years DLMP and 5 years of Comprehensive Maintenance including Periodic Overhaul (with Full rehabilitation) and to give necessary training for the said project.
- 3) ----- (Specialist Sub-contractor) undertakes that the technology/services being offered conform to all technical specification requirement set forth in the tender and further agree to abide by with the execution schedule as per the Tender.
- 4) Both the parties under the contract undertake not to communicate to third party any part of this agreement or information which is Technical, financial or otherwise which will be exchanged between the parties during the period of this agreement and 5 (five) years thereafter without prior approval of the MMRDA providing the information, except as may be required for the contract bid submission and execution.
- 5) This MoU shall be converted to Collateral Warranties after award of the contract.
- 6) This MOU shall be terminated if..... (Bidder) is not awarded with the work.

IN WITNESS WHEREOF,

The parties hereto have duly executed this MOU through their authorized representatives as on day and year written above.

For and on behalf of

Bidder

Specialist Sub-contractor

Authorized Signatory

Authorized Signatory

Name :

Name :

Position:

Position: