



उत्तर प्रदेश UTTAR PRADESH

DG 8209

Memorandum of Understanding

This Agreement/Contract is made on 14th Day of March 2017 between University of Lucknow, Lucknow (here forth referred to as LU) having its registered office at Lucknow through its Finance Officer of the one part and Uttar Pradesh Development Systems Corporation Limited (here forth referred to as UPDESCO) having its registered office at 2nd Floor, UPTRON Building, Near Gomti Barrage, Gomti Nagar, Lucknow through its Manager (Systems) of other part.

Whereas UPDESCO has been engaged for providing service for Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18) via work order ref. no. Ad/658-R/ल.वि.वि./कुसका/2017 dated 10.03.2017 issued by University of Lucknow.

Harish
(एच० सी० गुप्ता)
प्रबन्धक (प्रणाली)
यूपीडेस्कॉ

[Signature]
Finance Officer
Lucknow University
Lucknow

As per the Scope of Work, Rates, Payment Terms mentioned in this agreement and on the other terms and conditions contained herein, it has been agreed between hereto follows :

1.0 SCOPE OF WORK

Lucknow University was making admissions through manual (OMR based printed forms) as well as Online Software Application developed by UPDESCO in the previous years for Under-Graduate and Post-Graduate Courses.

For the year 2016-17, UPDESCO had provided Software Solution for Online Admission and Counseling. This year the same process has to be done with minor changes in the process and addition of some courses which were not included last year.

Approximately 25000 students are expected to apply for UG courses and 15,000 students for PG courses. The application will also be integrated with Social Media Sites for better availability. The existing application is also proposed to be linked with Aadhaar Database through Digital Certificate and Secured Link. This is optional and will be done as per the Integration Schedule.

Students will be required to apply Online for the Admission through University Website (www.lkouniv.ac.in) for all the courses. No OMR based application form will be used for admission in any courses.

2.0 COMMERCIAL OFFER :

Sl. No.	Particulars	Amount (Rs.)
2.1	Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education and M.Ed Courses for Session 2017-18 :	
2.1.1	Annual Maintenance of Online Admission Software Module for UG & PG Courses	1,63,500.00
2.1.2	Annual Maintenance of Online Admission Software Module for Ph.D Course	1,63,000.00
2.1.3	Annual Maintenance of Online Admission Software for UG Management Courses, MBA, Physical Education Courses and M.Ed	1,74,500.00
2.1.4	Annual maintenance of Online Admission Software Module with Integration & Management of Payment Gateway per Bank for submission of Fee through Debit/Credit Card, Internet Banking and e-challan Modes (per annum)	49,500.00
2.1.5	Annual Charges for Pre-exam work for Entrance Examination for all courses i.e. Centre Allotment, Roll Number Generation and Admit Card Generation, Verification List, Desk Slips with Hosting (per annum) with Printing of the Verification Lists and Desk Slips along with Roll List	1,24,000.00

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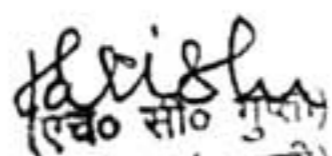
Sl. No.	Particulars	Amount (Rs.)
2.2	Helpdesk :	
2.2.1	Annual Charges for providing Helpdesk facilities to the applicants through Phone; SMS and Email for a period of 2 months @Rs.79,500/- per month	1,59,000.00
2.3	Web Server Space :	
2.3.1	Annual Charges for Web Space (5 GB) on Windows 2012 Server with MS SQL Support with Semi Dedicated Environment	45,000.00
2.4	Online Counselling :	
2.4.1	Annual Maintenance with minor Customization of Counselling Module with Database Management and providing support for smooth running of application during Counseling for UG & PG Courses	2,49,300.00
2.4.2	Annual Charges for Customization of Counseling Module with Database Management and providing support for smooth running of application during Counseling for Management Courses, MBA, Physical Education, MEd.	1,24,600.00
2.5	Sub Total	12,52,400.00
2.6	Service Tax@15%	1,87,860.00
2.7	VAT@5% on sr. no. 2.1.5, 2.4.1, 2.4.2	24,895.00
2.8	GRAND TOTAL	14,65,155.00


Optional Charges :

(A) Charges for preparation of ID Cards with Lanyard for the Academic Session 2017-18 :

Sl. No.	Particulars	Unit Rate (Rs.)
A.1	<ul style="list-style-type: none"> Receiving of student photograph provided by the student along with its Counselling Form and Scanning of Photograph. Incorporating the scanned photo into the system Colour Laser printing of the ID Cards on Plastic Coated Paper with barcode Finishing of the card to required size. Lamination of the ID Cards. Hole Punching and fixing of Lanyard with the ID Card with University name printed on the Lanyard. Delivery of printed ID Cards at a single location (DTP Cell) Lucknow University 	22.90 per ID Card
A.2	VAT@5%	1.15
A.3	Total	24.05

Note : Duplicate ID cards will be charged at the same rates.


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 प्रबन्धक (प्रणाली)
 यूपीडेस्क


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(B) **Biometric Registration :**

Sl. No.	Particulars	Unit Rate (Rs.)
B.1	Biometric Registration of Thumbs of both hands before issue of ID Cards through Biometric Reader and Application to show the data	2.95 per student / per registration
B.2	Service Tax@15%	0.44
B.3	TOTAL	3.39

(C) **Social Media Coverage:**

Sl. No.	Particulars	Amount (Rs.)
C.1	Linking the Online Admission Module with Social Media Sites and management of the Social Media Page for the time admissions are going on (4 months) @Rs.34,700/- per month	1,38,800.00
C.2	Service Tax@15%	20,820.00
C.3	TOTAL	1,59,620.00

(D) **Merit List Preparation:**

Sl. No.	Particulars	Unit Rate (Rs.)
D.1	Annual Charges for Merit List Preparation as per the criterion given by the University and data submitted online	44,700.00 Per course
D.2	Service Tax@15%	6,705.00
D.3	TOTAL	51,405.00

(E) **Aadhaar Integration:**

Sl. No.	Particulars	Amount (Rs.)
E.1	Annual Charges for Management of Integration of Online Admission Module with Aadhaar Database through an ASA with Document Signer Certificate and Security Audit for OTP, Fingerprint, Retina Scan based authentication	4,49,500.00
E.2	Service Tax@15%	67,425.00
E.3	VAT@5%	22,475.00
E.4	TOTAL	5,39,400.00

(F) **Payment Gateway Integration for Counseling Application :**

Sl. No.	Particulars	Unit Rate (Rs.)
F.1	Annual Charges for Management of Integration of the Counseling Application with Bank's Gateway to enable the system to update the fee on Admission portal as soon as it is received on Bank's Counter	74,700.00 per bank
F.2	Service Tax@15%	11,205.00
F.3	TOTAL	85,905.00

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(G) **Integration of SMS Gateway :**

Sr. No.	Particulars	Amount (Rs.)
G.1	Annual Charges for Management of Integration of SMS Gateway	34,600.00 per annum
G.2	SMS Package of 50000 SMSs @Rs.0.32 per SMS	16,000.00
G.3	Sub Total	50,600.00
G.4	Service Tax@15%	7,590.00
G.5	TOTAL	58,190.00

3.0 TERMS & CONDITIONS

3.1 General :


- The scope of work mentioned above has been worked out on the basis of preliminary system study. The rates quoted may vary if the original requirement changes during the actual development work.
- Any extra scope of work will be charged extra and will be quoted separately.
- All disputes are subject to Lucknow Jurisdiction.
- UPDESCO has to provide all the administrative login passwords and the source code of the web based applications to the University.
- UPDESCO will have to provide the backup of the database of online submitted data.

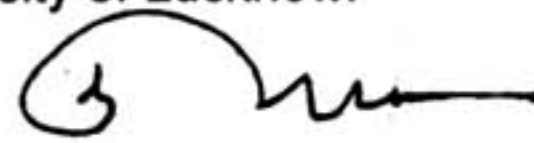
3.2 Payment Terms :

- Payment will be made as mentioned in work order.
- All the payments has to be made in favour of "UPDESCO" by Cheque / Demand Draft / RTGS (Details : S/B A/c No. 020701000041138 of Indian Overseas Bank, Lucknow. Main Branch Bank IFSC Code : IOBA0000207, PAN : AAACU2958C) payable at Lucknow.

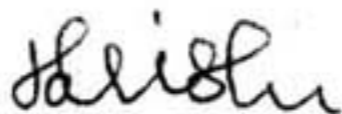
4.0 VALIDITY


- All the work of Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18), shall be carried out strictly in accordance with the specifications, instructions, data sheets / other documents and to the entire satisfaction and approval of the Coordinator – Admission 2017, University of Lucknow.


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- 4.2 All the work of Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18) pursuant to the contract are guaranteed to be of the best quality of their respective kind (unless otherwise specifically authorised in writing by the LU) and shall be free from faulty design (to the extent such design is not furnished by LU), workmanship and capacity and of proper specification so as to fulfil in all respects and operating condition, if any, specified in this order.
- 4.3 If any trouble or defect originating with the Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18) at any time covering a period of Forty Eight (48) months of the contract period, UPDESCO shall at his own expense and as may be necessary to permit the Web Based Application Modules to function in accordance with the specifications and to fulfill the foregoing guarantee.
- 4.4 In the event that the Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18) do not meet the specifications and are not in accordance with the data sheets or the terms of the contract, LU shall notify to UPDESCO giving full details of differences. UPDESCO shall be present at LU's office on the prescribed date and time, after receipt of notice from the Registrar and should acknowledge the quality work done and comply with the directions given by the Registrar.
- 4.5 The contract period for Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18), its AMC with other services is valid for a period of one year from the date of work order released by LU.


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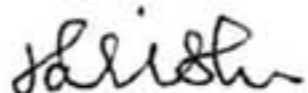

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5.0 COMPENSATION

- 5.1 In the case of not honoring the contract, LU shall have the right to impose compensation as deemed fit and may recover compensation maximum up to 5% of the total due amount after giving a registered notice in writing in 30 (Thirty) days period duly signed by the Vice Chancellor, LU determining the contract.
- 5.2 In the case of non-executing the job of Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18) within stipulated period, it will be at the discretion of the LU to accept the late execution with the clause of deduction @ 1% per month maximum to the extent of 5% of the total contract value for the delayed period.

6.0 SETTLEMENT OF DISPUTES : The contract can be terminated by giving a written notice for a minimum period of 2 months by either party. All the data has to be transferred to LU against the clearance of all the due payments to UPDESCO.

- 6.1 In the event of dispute, difference of opinion which may at any time arise between the LU and UPDESCO out of or in connection with the terms and conditions contained herein or as to Annual Maintenance, Customization and Additional New Work related to Online Submission of Applications, Online Fee (All Modes), Web Based Counselling for Admission of Campus Students in UG, PG, Ph.D, Management, Physical Education, M.Ed Courses, Preparation of ID Cards with Lanyard, Biometric Registration, Social Media Coverage, Merit List Preparation, Aadhaar Integration Payment & SMS Gateway Integration for University of Lucknow (Session 2017-18) thereof or the respective right and obligations of the parties there under or as to any clause or thing here contained or by reason of the supply or failure or refusal to supply any materials or as to any other matter in any way relating to these presents, the matter shall be referred to a neutral sole arbitrator, who shall be appointed by the mutual consent of Vice Chancellor, LU and Managing Director, UPDESCO / Chairman, UPDESCO / Special Secretary / Principal Secretary, Department of I.T. & Electronics, Government of U.P. The decision of the arbitrator on the point referred to him/her shall be binding on both the parties in accordance with the provisions of Arbitration and Conciliation Act. 1996. Each party shall bear its own cost and fees in connection with the arbitration.
- 6.2 All disputes are subject to Lucknow jurisdiction only.


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7.0 GOVERNING LANGUAGE

7.1 The Contract shall be written in English or Hindi language. All correspondence and other documents pertaining to the Contract which are exchanged by the parties shall be written in the same language.

7.2 Applicable Law :

The Contract shall be interpreted in accordance with the laws/Rules/Regulations of the Union of India/Govt. of India and Indian Contract Act, 1872.

8.0 NOTICES

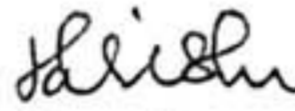
8.1 Any notice given by one party to the other pursuant to this Contract shall be sent to other party in writing or by fax and confirmed in writing to the other Party's address. For the purpose of all notices, the following shall be the address of the UPDESCO and Client Department :

UPDESCO: U.P. Development Systems Corporation Ltd.,
II Floor, UPTRON Building, Gomti Nagar,
Lucknow (U.P.) - 226 010

Client Department: University of Lucknow (here forth referred to as LU)
having its registered office at Lucknow.

8.2 A notice shall be effective when delivered or on the notice's effective date whichever is later.

Amendments incorporated in the terms and conditions of Service Provider and/or "Outsourcing of Marketing of Software and Services Policy and Rules" of UPDESCO from time to time by the Board of Directors of UPDESCO.

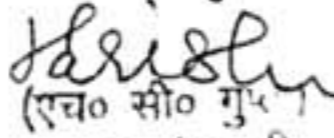

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Wherefore both the 1st party and the 2nd party undertake to abide by the terms and conditions enumerated herein the agreement and in the certification of this Agreement, the signature of the parties are affixed herein under the presence of following witnesses :

1st Party

For and on behalf of : Uttar Pradesh Development
Systems Corporation Limited,
Lucknow

Name : H C GUPTA
Designation : Manager (Systems)
Signature : 
(एच० सी० गुप्ता
प्रबन्धक (प्रणाली)
यूपीडेस्क०)
Date : 14-03-2017

Witness 1


Name : Akhilesh K Srivastava
Address : Research officer
Signature : 
Place : (अखिलेश कुमार श्रीवास्तव)
शोध अधिकारी
यूपीडेस्क०
Date : 14-03-2017

2nd Party

For and on behalf of : University of
Lucknow, Lucknow University
Lucknow

Name : Suresh Chandra Upadhyay
Designation : Finance Officer
Lucknow University,
Lucknow
Signature : 
Date : 14-03-2017

Witness 2

Name : Prof. Anil Kishor
Address : LUCKNOW UNIVERSITY
Signature : 
Place : LUCKNOW
Date : 14-03-2017