



Ocean Innovation Challenge Standard Operating Procedure Subcontracting



*Empowered lives.
Resilient nations.*

1. Introduction and rationale

Within the Model Innovation Challenge Agreement, Section 7 states:

7. SUBCONTRACTING:

In the event that the Innovator requires the services of subcontractors to perform any obligations under the Agreement, the Innovator shall obtain the prior written approval of UNDP. UNDP shall be entitled, in its sole discretion, to review the qualifications of any subcontractors and to reject any proposed subcontractor that UNDP reasonably considers is not qualified to perform obligations under the Agreement. UNDP shall have the right to require any subcontractor's removal from UNDP premises without having to give any justification therefor. Any such rejection or request for removal shall not, in and of itself, entitle the Innovator to claim any delays in the performance, or to assert any excuses for the non-performance, of any of its obligations under the Agreement, and the Innovator shall be solely responsible for all services and obligations performed by its subcontractors. The terms of any subcontract shall be subject to, and shall be construed in a manner that is fully in accordance with, all of the terms and conditions of the Agreement.

As such, the use of subcontractors is acceptable within the Ocean Innovation Challenge. It is preferred that the subcontractor is listed as a partner within the proposal, but when that has not been possible, additional approval is needed prior to OIC Innovators independently contracting them.

The purpose of this clause on subcontracting is to ensure that the subcontracted firm meets the requirements of UNDP.

For any firm or subcontracted firm working with UNDP, each partner must meet certain basic criteria for partnering with UNDP, such as not being on UN Sanctions, UNDP Vendor Sanctions or UN Global Marketplace Ineligibility Lists.

In addition, the purpose of the UNDP approval is to provide OIC with documented verification of the work to be done by the sub-contractor, and updates on the work performance. Oversight of the sub-contractor is solely the responsibility of the OIC Innovator.

2. Application and Approach

Subcontracting of other firms or individuals is accepted under the Model Innovation Challenge Agreement, subject to UNDP prior review and approval.

In order to do this, the Template for Sub-Contracting must be completed and sent to the OIC Manager. In the event that there are questions regarding the template, please share those in writing.

The steps outlined in this SOP are to ensure that all subcontractors meet the UNDP requirements and criteria, and that these are well documented for auditing purposes.

The Subcontractor Firm Name, and Subcontractor Team Leader Name must be included. If an individual is being subcontracted, only that name should be provided. The UNDP OIC Team will then conduct due diligence to ensure that the sub-contracted firm/individual meet the UNDP criteria. The OIC Innovator should be on stand-by in case there are issues or concerns regarding the subcontractor.

For all subcontractors who were specifically named and listed in the proposals, this step has already been taken. However, please submit the template for sub-contracting for audit purposes.

The full Terms of Reference (ToR) for the subcontractor must be reviewed and approved by the OIC Manager. The ToR must contain: description of the work to be done by the subcontractor, the time frame for the work to be done, and criteria for successful completion of the work, and the required qualifications needed to do the work. This is required for both monitoring and evaluation and UNDP audit purposes. The ToR will be Annex 1. This is to be summarized in the template.

The full company profile or CV of the subcontractor must also be submitted to the OIC Manager. This can be done concurrently with the submission of the ToR. The OIC Manager/Management Team will review this to ensure that the qualifications of the subcontractor align with the ToR. If there are issues or concerns this will be raised and discussed with the innovator. As per the agreement, UNDP reserves the right to reject a subcontractor.

Once the subcontractor company profile or CV is approved by the OIC Manager, the Innovator must summarize the qualifications of the subcontractor relevant to the work to be done in the template.

In order for auditors to easily understand the level of inputs to be done by the innovator, please provide the quantified percentage of work to be undertaken by the subcontractor. This can be calculated by the total amount of payment to the subcontractors as a percentage of the entire OIC contract amount.

As all UNDP projects must closely track risks, please indicate risks using the OIC risk register template for the subcontractor. This should be filled by the OIC Innovator, and shared with the OIC Manager for approval or revision. Once this is agreed, the risks and mitigation actions should be summarized in the template. The subcontractor risk register is Annex 3 of the template.

The OIC Innovator should include all risks and mitigations into the quarterly reporting risk register, and update these quarterly as with all risks. In the event there is an issue arising with the performance of the subcontractor, the OIC Innovator is responsible for addressing this, and notifying the OIC Manager so that this can be documented. As per the agreement, if there are significant challenges with the subcontractor UNDP reserves the right to request the removal of the subcontractor should that become necessary. Documentation of all real and potential challenges must be included in the update quarterly report.

The coverage is subject to the innovator assessment, as explained under point 10. Insurance and Liabilities, this can cover performance insurance, properties of UNDP (if any), workers, ...etc. General terms and conditions for the "Model Innovation Challenge Agreement" does not specify the type of insurance, but as in every other type of business, it's the service provider sole responsibility to assess the existing risks in their area of operations and to include the needed insurances in their costs.

Based on the steps above the OIC Innovator must request approval of the OIC Manager to contract the subcontractor. If the original contract is not in English, a translation into English must be provided to OIC. Based in the formal approval and signature, the OIC Innovator should proceed with the subcontracting.

A copy of the contract between the OIC Innovator and the subcontractor shall be shared with the OIC Manager/Management team to be cataloged for auditors review. The contract will be Annex 4 of this document.

For each subcontractor a separate template must be completed. If the subcontractor was named as a partner in the proposal, the template must be completed for all auditing and tracking measures.

3. Roles and Responsibilities

Action	Ocean Innovator	OIC Management Team
Preparation of the Sub-contracting template	Review the template and pose questions in writing for the OIC Manager, or complete and submit	OIC Manager to answer questions with support of the UNDP OIC Operations Team, or accept and catalog
Conduct Due Diligence	Be on stand by in case of questions from due diligence.	Conduct due diligence to include, but not limited to: UN Sanctions list, UNDP Vendor Sanctions or UN Global Marketplace Ineligibility Lists. Conduct extended informational search of individual and firm to ensure compliance with UNDP rules regarding acceptable practices. Please allow 5 working days for this to be completed by UNDP.
Submit ToR as Annex	Develop and submit the full Terms of Reference for sub-contractor specifically stating what work is to be done by the subcontractor, the time frame for the work to be done, and criteria for successful completion of the work, and the required qualifications needed to do the work	Review the full ToR, and discuss with Innovator as needed, or accept and catalog.
Summarize ToR in the template	In less than half a page please summarize work to be done by the subcontractor, the time frame for the work to be done, and criteria for successful completion of the work, and the required qualifications needed to do the work	Review as part of the completed template and either request revisions or accept and catalog.
Submit the company profile or CV of subcontractor	Provide the OIC Manager with the subcontractor company profile or CV, to ensure that these qualifications in the ToR are met by the subcontractor	Review the company profile or CV, and discuss with Innovator as needed, or accept and catalog.
Summarize the qualifications of the sub contractor	In the template please summarize the qualifications of the subcontractor for the purpose of the innovation implementation	Review as part of the completed template and either request revisions or accept and catalog.
Quantify the percent of the OIC work to be done	Calculate the total amount of payment to the subcontractors as a percentage of the entire OIC contract amount. Enter into the template.	Check and approve amount.

by the sub-contractors		
Identify risks associated with subcontracting this work, and mitigation measures to be taken.	Complete a copy of the risk register template for the subcontractor, and submit to the OIC Manager. Include updated risks into the quarterly reporting for the risk register.	Review the risk register template for the subcontractor, and discuss with Innovator as needed, or accept and catalog.
Summarize risks and mitigations related to subcontractor in the subcontracting template	Summarize the risks and mitigations in the subcontractor template.	Approve the risk register
Approval of the subcontractor	Request approval of the subcontractor by UNDP OIC Manager based on the steps taken above	Provide written approval of the subcontractor
Provide a copy of contract with subcontractor	Once the subcontractor is contracted provide OIC Management a copy of the contract	Accept and catalog for audit

4. **Template (Template for Sub-Contracting)**



Ocean Innovation Challenge Template for Sub-Contracting



Project Name	
Subcontractor Firm Name	
Subcontractor Team Leader Name	
Summary of Responsibilities (ToR to be attached as Annex 1)	
Summary of Qualifications (CV or Company Profile to be attached as Annex 2)	
Percent of total project work to be done by subcontractor and amount to be paid	
Summary of Risks associated with, and mitigation measures for subcontracting (Annex 3 upon UNDP Approval)	
Copy of contract (To be shared and filed as Annex 4),	

Signature of Innovator

Date

Signature of OIC Manager

Date

5. Template (Sub-Contracting Submission Form)



Ocean Innovation Challenge Sub-Contracting Submission Form



Form: Subcontracting Submission Form

Name of Bidder:	[Insert Name of Bidder]	Date:	Select date
Name of Subcontractor:	[Insert Name of SubContractor]]		
Contract reference:	(ACP-0000033469 – ABCD)		

We, the undersigned, we hereby declare that our firm, its affiliates or subsidiaries or employees, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

- a) is not under procurement prohibition by the United Nations, including but not limited to prohibitions derived from the Compendium of United Nations Security Council Sanctions Lists;
- b) have not been suspended, debarred, sanctioned or otherwise identified as ineligible by any UN Organization or the World Bank Group or any other international Organization;
- c) have no conflict of interest in accordance with UNDP rules and regulations for contracts;
- d) do not employ, or anticipate employing, any person(s) who is, or has been a UN staff member within the last year, if said UN staff member has or had prior professional dealings with our firm in his/her capacity as UN staff member within the last three years of service with the UN (in accordance with UN post-employment restrictions published in ST/SGB/2006/15);
- e) have not declared bankruptcy, are not involved in bankruptcy or receivership proceedings, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- f) undertake not to engage in proscribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the UN or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the UN and we *embrace the principles of the United Nations Supplier Code of Conduct and adhere to the principles of the United Nations Global Compact.*

We declare that all the information and statements made in this RFP, Contract and other submitted documents are true and we accept that any misinterpretation or misrepresentation contained in this contract may lead to our disqualification and/or sanctioning by the UNDP.

We offer to supply the goods and related services in conformity with the Bidding documents, including the UNDP General Conditions of Contract and in accordance with the Schedule of Requirements and Technical Specifications.

I, the undersigned, certify that I am duly authorized by [Insert Name of Company]] to sign this document and bind it.

Name: _____

Title: _____

Date: _____

Signature: _____