

Part I - Lodging of Tender

1. Paper-based Tendering

- 1.1 A tender shall be properly completed and enclosed in a sealed plain envelope without any identification of the name of the Tenderer and without any indication which may relate the Tenderer to a particular contractor/ supplier/ service provider, and **addressed to the Chairman, Government Logistics Department Tender Board, and placed in the Government Logistics Department Tender Box situated at the Ground Floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong** or where applicable, other places assigned by a Government officer for depositing bulky tenders (in either case, whichever is applicable, “Specified Tender Box”) **before 12:00 noon on 8 March 2024.**
- 1.2 In case of blockage of the public access to the location of the Specified Tender Box, or any work from home arrangement for the Government civil servants (“WFH arrangement”), at any time between 0900 and 1200 hours on the Tender Closing Date, the Government will announce extension of the Tender Closing Date. Following removal of the blockage or WFH arrangement, the Government will announce the extended Tender Closing Date as soon as practicable. The above announcements will be made via press releases on the website of Information Services Department (<https://www.info.gov.hk/gia/general/today.htm>)
- 1.3 Without prejudice to the Government’s powers under Clause 19 of the Conditions of Tender, a late tender OR a tender not deposited in the Specified Tender Box mentioned in Paragraph 1.1 above, including a tender submitted by facsimile or e-mail, **will not be considered.**

2. Notes to Tenderers

- 2.1 The duly completed tender proposals together with the documents/information required in the Tender Documents must be deposited in the Specified Tender Box mentioned in Paragraph 1.1 above on or before the Tender Closing Date.
- 2.2 If the alteration to an offer already submitted is made before the Tender Closing Date, a Tenderer shall send a revised offer with the confirmation to replace the original offer.

3. Tender Closing Time in case of Tropical Cyclone/Rainstorm

- 3.1 In case Tropical Cyclone Warning Signal No. 8 or above is hoisted, or a Black Rainstorm Warning Signal or “extreme conditions” announced by the Government is/are in force, for any duration between 9:00 a.m. and 12:00 noon on the Tender Closing Date, the Tender Closing Date will be extended to 12:00 noon on the next working day.

4. Tenderers' Enquiries

- 4.1 Any enquiries from a prospective Tenderer on the tender details up to the date of the Tenderer lodging its Tender with the Government shall be made in writing to:

Director of Marine
Government New Construction Section,
Government Dockyard,
Ngong Shung Road,
Stonecutters Island,
Shamshuipo,
Hong Kong
(Attn.: Senior Surveyor of Ships/Government New Construction (2))
Facsimile: (852) 2746 0518
e-mail: gnc@mardep.gov.hk

- 4.2 After lodging a Tender with the Government, a Tenderer shall not attempt to initiate any further contact, whether direct or indirect, with the Government on its Tender or the Tender Documents. The Government shall have the sole right to initiate any such further contact and all such contacts and any replies of the Tenderer thereto shall be in writing or formally documented in writing.

<p>NOTE: THIS TENDER IS COVERED BY THE AGREEMENT ON GOVERNMENT PROCUREMENT OF THE WORLD TRADE ORGANIZATION.</p>
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INTERPRETATION

Throughout the Tender Documents, unless the context otherwise requires:

“Accreditations”	has the meaning given to the term in the Marking Scheme;
“desirable specifications” (in upper or lower case)	means those specifications in Part VII of the Tender Documents which are labelled [D] (if any);
“ESG proposals” (in upper or lower case)	means a proposed measure or arrangement that will improve environmental protection, sustainability or social responsibility or governance which may but need not be directly relevant to the procurement covered by this Invitation to Tender, but which can bring about positive value(s) and/or benefit(s) to the Government or the public at large;
“essential requirements” (in upper or lower case)	means those requirements set out in Annex C to Part II - the Conditions of Tender and the specifications set out in Part VII of the Tender Documents with label [E], and those set out elsewhere in the Tender Documents which are identified as essential and/or where it is expressly provided that a Tenderer’s failure to comply by the Tender Closing Date will lead to the Tenderer’s tender not being considered further;
“Excess Proposals”	means proposals submitted by a Tenderer for evaluation under the Marking Scheme in Schedule 11 of Part V and Innovative Suggestions in Schedule 13 of Part V;
“Government”	means the Government of the Hong Kong Special Administrative Region of the People’s Republic of China;
“Government Dockyard”	means the dockyard located at Ngong Shung Road, Stonecutters Island, Sham Shui Po, Kowloon, Hong Kong;
“Government Representative”	means the Director of Marine acting for and on behalf of the Government or any officer authorised to act on their behalf for the purposes of the Contract;
“Hong Kong” or “HKSAR”	means the Hong Kong Special Administrative Region of the People’s Republic of China;

“Innovative Suggestion”	means either a Pro-innovation proposal or an ESG proposal but not both at the same time;
“Invitation to Tender”	means this Government’s invitation to tender for the Contract on the terms and conditions set out in these Tender Documents;
“Marking Scheme”	means the marking scheme in Annex D to Part II – Conditions of Tender; references to assessment criterion (in upper or lower case) means the assessment criterion in the Marking Scheme; the assessment criteria (in upper or lower case) may be alternatively referred to as A(I), A(II), A(III) and so on in roman letter or A(1), A(2) and A(3) in Arabic numeral interchangeably. The same for B(I) and B(II) and so on or B(1) and (B)(2) and so on;
“Non-collusive Tendering Certificate”	means a document known as such and in the form set out in Schedule 12 of Part V of the Tender Documents for completion and submission by the Tenderer as part of its Tender under Clause 4.3.4(c) of the Conditions of Tender;
“Offered Specifications”	means (a) the specifications which the Tenderer has confirmed compliance in Schedule 5 of Part V (viz., (i) the Essential Requirements, (ii) the Specifications without Label (except those subject to Counter-Proposals as further mentioned in (b)(iii) below), and (iii) where applicable, the Desirable Specifications in Schedule 11 of Part V), and (b) those specifications set out in its tender (including (i) those in the Schedules of Part V, (ii) any Excess Proposals to be made in the manner mentioned in Clause 5.5 of Part II – Conditions of Tender; and (iii) any Counter-Proposals to the Specifications without Label to be made in the manner specified in Clause 17.3 of Part II – Conditions of Tender);
“Original Tender Closing Date”	means the date specified in Part I - Lodging of Tender by which a tender must be lodged (regardless of any subsequent extension);
“Pro-innovation proposal” (in upper or lower case)	means a proposal that adopts any one or more of the following: technological means / arrangements / work process / solutions / equipment that can enhance efficiency, effectiveness and productivity of the Vessel;
“Price Proposal”	means such part of the tender to comprise such items as specified in Clause 4.2 of Part II – Conditions of Tender;
“Specifications without Label”	means those requirements in Part VII – Technical Specifications (excluding Annexes 1 to 9) without the [E] or [D] label;

“Technical Proposal” means such part of the tender to comprise such items as specified in Clause 4.3 of Part II – Conditions of Tender;

“Tender Closing Date” means the date and time specified in the “Lodging of Tender” as the latest date and time before which tenders must be deposited with the Government, and as such date and time may be extended in accordance with Paragraph 3 of the Lodging of Tender;

“Tender Documents” means the documents issued by the Government in connection with this Invitation to Tender, namely:

- Part I Lodging of Tender;
- Part II Conditions of Tender and Annexes A to F;
- Part III Articles of Agreement;
- Part IV Conditions of Contract and Annexes A to C;
- Part V Schedules 1 to 13;
- Part VI Offer to be Bound; and
- Part VII Technical Specifications and Annexes 1 to 9.

together with all the respective annexes, attachments, appendices, schedules and annexures to any of the above specified documents (if any). Unless otherwise defined, each of the above documents constituting the Tender Documents or the Contract (as the case may be) shall be referred to by their names and/or the relevant Part number of the Tender Documents as specified above;

“Tender” (in upper or lower case) means a tender submitted by a Tenderer in response to the Invitation to Tender;

“Tenderer” means a person with capacity to contract which submits a tender in response to this Invitation to Tender but including an unincorporated joint venture;

“time” all references to time refer to Hong Kong time;

“Vessel Project” (in upper or lower case) has the meaning given to the term in Schedule 10 of Part V;

“working day” means Monday to Friday other than a public holiday (as defined in the Interpretation and General Clauses Ordinance (Cap. 1 of the Laws of Hong Kong)) or a day on which the Tropical Cyclone Warning Signal No. 8 or above is hoisted, or a Black Rainstorm Warning Signal or “extreme conditions” announced by the Government is/are in force, for any time during 9:00 to 17:00 in Hong Kong; and

“WTO GPA”

means the Agreement on Government Procurement of the World Trade Organization.