

## **TERMS OF QUOTATION**

### **1. INTERPRETATION**

- (a) In these Terms of Quotation and the Undertaking at Annex II, reference to “quotes” includes all proposals, documents and information submitted by an Interested Party pursuant to the Terms of Quotation.
- (b) Other expressions used in these Terms of Quotation and the Undertaking and not otherwise defined herein shall have the meanings ascribed to them in the Conditions of Contract.
- (c) Unless the context otherwise requires, the rules of construction set out in Clause 1 of the Conditions of Contract shall apply to the other parts of the Procurement Document.

### **2. INVITATION FOR QUOTES**

Quotes are invited for the execution of the whole of the Services subject to and in accordance with these Terms of Quotation and the Contract.

### **3. PROCUREMENT DOCUMENTS**

These documents identified as NDC/6/83(05) consist of the following –

- (a) Annex I – Terms of Quotation;
- (b) Annex II – Undertaking;
- (c) Annex III – Conditions of Contract;
- (d) Annex IV – Service Specifications,

(collectively, the “Procurement Documents”).

#### **4. PROPOSALS AND SUBMISSION**

- (a) **Three** copies of each of the Technical Proposal and Fee Proposal are to be completed in ink or typescript.
- (b) An Interested Party must provide all information required to be submitted under these Terms of Quotation. The Government may reject a quote if –
  - (i) complete information is not given with the quote;
  - (ii) any particulars and data asked for in these Terms of Quotation are not furnished or not furnished in full; or
  - (iii) any necessary supporting documents required to be provided are not submitted with the quote.
- (c) An Interested Party must also complete the Part 1 of the Undertaking and the Appendix to the Conditions of Contract.
- (d) The Conditions of Contract and the Appendix thereto and the Service Specifications must not be altered by the Interested Party. Otherwise, the quote may not be considered. However, completion of information requested in these Terms of Quotation, the Conditions of Contract and the Appendix thereto in the manner specified will not constitute an alteration for the purpose of this Clause.
- (e) Any unauthorized alterations or erasures to the text of the Procurement Documents may also cause the quote to be disqualified.
- (f) The Price Quotation and the Technical Proposal together with all information and documents required under these Terms of Quotation must be submitted in the manner specified in the Terms of Quotation.
- (g) The Government will not be responsible for any mislaid quotes.

- (h) Quotes submitted by methods other than as specified under this Clause will not be considered.

## **5. REQUIREMENTS OF TECHNICAL PROPOSAL**

An Interested Party is required to submit a Technical Proposal that contains the following :

### **(a) Details of proposal**

- (i) Brief description of background, and organisation of the Interested Party including the faculty / department / school / division responsible for running the Certificate Course.
- (ii) Details of past training programmes conducted by the Interested Party, if any, relating to drug treatment and rehabilitation with specification below :
  - 1. Name
  - 2. Course mode, duration, dates of commencement and completion
  - 3. Objectives and brief contents
  - 4. Qualification awarded
  - 5. Target trainees

### **(b) Details of Teaching Personnel and Course Co-ordinator**

- (i) The following details of each member of teaching personnel of the Interested Party responsible for conducting the Certificate Course :
  - 1. Name
  - 2. Post
  - 3. Academic qualification(s)
  - 4. Duration (mm/yy – mm/yy) of teaching experience
  - 5. Duration (mm/yy – mm/yy) of working experience in drug treatment and rehabilitation or related field
  - 6. Competence in delivering training fluently in Cantonese

verbally and in writing Chinese

(ii) course co-ordinator responsible for co-ordinating the Certificate Course :

1. Name
2. Post
3. Academic qualification(s)
4. Duration (mm/yy – mm/yy) of local and/or overseas work experience as a trainer and/or a course co-ordinator.

**(c) Course Design and Delivery**

The following details by making reference to the Service Specifications:

(i) proposed course contents with description for each modules on

1. Classification (e.g. core or streamed)
2. Title
3. Objectives
4. Syllabus
5. Duration (in course hours)
6. Teaching mode
7. Assessment mode
8. Reference materials
9. Trainer responsible for the module

(ii) proposed course structure with description on:

1. class schedule (including visit, examination, presentation, etc) with tentative dates and time
2. tentative commencement date of the Certificate Course

(iii) proposed measures and arrangements for quality assurance are not mandatory but if provided would attract credit in the evaluation of the Technical Proposal.

**(d) Logistics Support**

Availability and accessibility of the following :

- (i) Number of venue(s) accessible by public transport
- (ii) Classrooms of varying sizes with audio-visual equipment
- (iii) Library(ies)
- (iv) Information-technology facilities supporting self-learning
- (v) Student amenities including canteens and common rooms

**(e) Measures to Eliminate Cross-Subsidization from University Grants Committee funds**

Measures to be taken to eliminate the scope for cross-subsidization from University Grants Committee funds if the Interested Party is funded by the University Grants Committee.

**(f) Value-added Suggestions**

In addition to the above, Interested Parties are encouraged to suggest with rationale and elaboration any subject, activity, arrangement, measure or facility that adds value to contents, structure, or logistics support of the Certificate Course. The suggested value-added item, if any, must be provided at no cost to the Government or the participants. Credits may be given to the Technical Proposal with value-added item(s) in the course of evaluation.

(g) The Undertaking at Annex II with Part 1 duly signed and completed;

(h) If applicable, a written undertaking referred to in Clause 6(b).

**6. FEE PROPOSAL**

(a) Interested Parties must also complete and submit the Price Quotation (**Appendix to Conditions of Contract at Annex III**) in Hong Kong Dollars.

(b) If an Interested Party is an institution funded by the University Grants

Committee, it should provide in the Technical Proposal the measures that it will take to eliminate possible scope for cross-subsidization from University Grants Committee funds, such as by making separate accounting arrangements for conducting the Certificate Course. The Interested Party must also submit a written undertaking that it shall implement such measures and any other measures specified by the Government to eliminate such cross-subsidization.

## **7. ACCURACY OF PRICE QUOTATION**

Interested Parties should make sure that the prices quoted are accurate before submitting their quotations. Under no circumstances will the Government accept any request for price adjustment on the grounds that a mistake has been made in the quotation prices.

## **8. PRICE QUOTED**

Unless an Interested Party clearly stipulate otherwise, no request for price variation will be considered after the Interested Party has lodged its quote and during the Validity Period. If, however, an Interested Party wishes to submit a conditional offer which contains a price variation clause, it may do so, on the clear understanding that such an offer may prejudice its position during the proposal evaluation process. In any such case, the basis of the price variation formula should be clearly stipulated and accepted by the Government in writing.

## **9. VALIDITY PERIOD**

Quotes shall remain valid and open for acceptance by the Government for not less than **90** days after the Closing Date (the “Validity Period”). If before the Validity Period an Interested Party’s offer is withdrawn, due notice will be taken of its action and this may prejudice its future standing as a Government supplier.

**10. SUBMISSION REQUIREMENT, CLOSING DATE AND EXTENSION OF CLOSING DATE**

- (A) The **Price Quotation** should be furnished in **3 copies** and sealed in a plain envelope. This envelope should be marked :

**“(A) Price Quotation for the Certificate Course in Drug Treatment and Rehabilitation for Social Workers / Peer Counsellors (Attn: Ms Jennie WONG / Ref. NDC/6/83(05))”**

and should reach us before on **7 November 2005 5:00 p.m.**

- (B) The **Technical Proposal** should be furnished in **3 copies** together with 3 copies of the Undertaking (**Annex II**) and sealed in another plain envelope. This envelope should be marked:

**“(B) Technical Proposal for the Certificate Course in Drug Treatment and Rehabilitation for Social Workers / Peer Counsellors (Attn: Ms Jennie WONG / Ref. NDC/6/83(05))”**

and should reach us before **7 November 2005 5:00 p.m.**

- (C) Both envelopes must be deposited by hand to the Narcotics Division, Security Bureau, on 30/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong, on or before **7 November 2005 5:00 p.m. (Attn : Ms Jennie WONG)**. Late submission received after the stipulated time and date will not be considered.

- (D) All quotes must be submitted and deposited by hand to the Narcotics Division, Security Bureau, on 30/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong (Attn : Ms. Jennie WONG) before the Closing Date and time (Hong Kong time) as specified in the Clause 10(C) above. Late quotations and proposals will not be accepted.

- (E) In the event that a black rainstorm warning signal or typhoon signal No. 8 or above is announced between 3:00 p.m. and 5:00 p.m. on the Closing Date, the Closing Date will be extended to 5:00 p.m. on the

next weekday (that is, except Saturday, Sunday and public holidays).

## **11. CHARGES**

Prices quoted shall be net of cash discounts (where applicable) and inclusive of all the costs and expenses incidental to the due and proper performance of the Contract by the Contractor.

## **12. ASSESSMENT**

For the purpose of quotation assessment, quality criteria like (i) the past experience of Interested Party in conducting anti-drug and related courses (ii) the past experience of speakers and trainers (iii) the course design and delivery, and value-added items/suggestions in the proposal, will be considered when evaluating the quotation. Assessment of the quotations will be based on the quality dimension (50%) and cost dimension (50%).

## **13. INTERVIEW**

Interested Parties may be invited for a **half-hour interview** which is scheduled either on **15 or 17 November 2005 (p.m.)** for assessment as well. The Interested Party is requested to give a 15-minute presentation on their proposal. The time and venue for the presentation will be informed after the closing date of quotation submission.

## **14. ACCEPTANCE**

The successful Interested Party will receive as an indication of acceptance a fax or a letter of acceptance. This fax or letter of acceptance shall constitute a binding contract. Interested Parties who do not receive any notification within the validity period of their offer shall assume that their quotes have not been accepted.

Interested Parties should note that their quotes will be considered on a complete overall basis. Quotes with only partial offers will not be



considered.

## **15. SAVING**

The Government is not bound to accept the quotes with the highest total marks or any quote (whether conforming or not) and reserves the right to accept or reject all or any part of any quote at any time during the Validity Period. The Government is not bound to give any reasons for any act done by the Government pursuant to this Clause.

## **16. DOCUMENTS OF UNSUCCESSFUL INTERESTED PARTYS**

Documents of unsuccessful Interested Parties will be destroyed 3 months after the date the Contract has been awarded.

## **17. NEW INFORMATION RELEVANT TO QUALIFIED STATUS**

An Interested Party should inform the Government in writing immediately of any factor which might affect its qualified status as a registered supplier with the Government, or as a qualified supplier for a particular service. The Government reserves the right to review its qualified status in the light of any new information relevant to its qualification.

## **18. LATEST AUDITED / UNAUDITED ACCOUNTS**

The Interested Parties shall upon request by the Government Representative during the Validity Period submit their latest audited accounts or unaudited accounts as required by the Government Representative within 14 days from the date of such request. Late submission will not be considered. Government may reject a quotation if the Interested Party fails to comply with the Government Representative's request.

## **19. COMPLAINTS ABOUT PROCUREMENT PROCESS OR CONTRACT AWARD**

The procurement process is subject to internal monitoring to ensure that contracts are awarded properly and fairly. Any Interested Party who feels that its offer has not been fairly evaluated may write to the Director of Administration who or whose delegate will examine the complaint and refer it to the approving authority for consideration if it relates to the procurement system or procedures. The Interested Party shall lodge the complaint within 3 months after the award of Contract.

## **20. PERSONAL DATA PROVIDED**

- (a) Interested Party's personal data provided in the quote will be used for evaluation and contract award purposes. If insufficient and inaccurate information is provided, the quote may not be considered.
- (b) Interested Party's personal data provided in the quote may be disclosed to other government departments and non-governmental organizations for purposes related to this quotation exercise.
- (c) Interested Parties shall have the right of access and correction with respect to personal data as provided for in Section 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. The right of access includes the right to obtain a copy of the Interested Party's personal data provided in the quotation.
- (d) Enquiries concerning the personal data collected by means of the quotation, including the making of access and corrections, should be addressed to Senior Executive Officer (Narcotics)<sup>2</sup> of the Narcotics Division.

## **21. CONSENT TO DISCLOSURE**

The Government shall have the right to disclose without any further reference to the Contractor and whenever the Government considers appropriate or upon request by any third party (written or otherwise) any

information relating to the Contract, the name and address of the Contractor, description of Services, the Price Quotation submitted by the Contractor and the contract value.

## **22. CONTRACTORS' PERFORMANCE MONITORING**

Interested Parties are advised that should they be awarded the Contract, their subsequent performance will be monitored and may be taken into account when their future bids for any goods or services procured by the Government are evaluated.

## **23. CANCELLATION OF INVITATION**

The Government may cancel the invitation for quotes at any time, if there are changes of requirement after Closing Date or for any reason whatsoever, the Government is not bound to accept any conforming quotation and reserves the right to cancel the invitation without giving any reasons.

All quotes are taken to have been submitted on the basis that the Government will not in any event be liable to pay the costs arising out of their preparation and submission or its explaining or clarifying any of them.

## **24. NEGOTIATIONS**

The Government reserves the right to negotiate with any Interested Party about the terms of the Interested Party's offer.

## **25. INTERESTED PARTY'S RESPONSE TO GOVERNMENT ENQUIRIES**

In the event that the Government considers that clarification of any quote is necessary, it will advise the Interested Party, indicating whether the Interested Party should supplement its quote or provide additional information to the Government. An Interested Party shall thereafter have 5 working days or the period specified in the Government's request for

clarification, to submit such information in the form requested.

## **26. INTERESTED PARTY'S ENQUIRIES**

- (a) Any enquiries from any Interested Party concerning these Procurement Documents up to the date of lodging its quote with the Government shall be made in writing or by phone to:

Ms. Jennie WONG  
Narcotics Division, Security Bureau  
30<sup>th</sup> floor, Queensway Government Offices  
High Block  
66 Queensway  
Hong Kong  
(Tel. No. : 2867 2761)  
(Fax.No. : 2810 1790)

- (b) After an Interested Party has lodged a quote with the Government, the Interested Party shall not attempt to initiate any further contact, whether direct or indirect, with the Government or the Government Representative on its quote or these Procurement Documents. The Government shall have the sole right to initiate any such further contact and all such contacts and any replies of the Interested Party thereto shall be in writing or formally documented in writing.

## **27. INCORPORATION OF PROPOSALS**

All quoted, proposals, information and responses submitted by an Interested Party shall be the representation of the Interested Party and may by law or at the Government's sole option be incorporated into and made part of the contract between the Government and the successful Interested Party in such manner as the Government considers appropriate. By submitting a quote, an Interested Party is deemed to have authorized the Government to make such changes to the terms and conditions of the Contract as may be necessary as a result of such incorporation without obtaining any prior agreement of the successful Interested Party.

## **28. DISQUALIFICATION OF QUOTES**

The Government reserves the right to disqualify any Interested Party who submits a quote that directly or indirectly attempts to preclude or limit the effect of any provisions of these Terms of Quotation.

## **29. ADDENDA**

The Government may issue addenda to the terms and conditions of the Procurement Documents. Interested Parties may be asked to confirm compliance with the terms and conditions issued under the Procurement Documents or those issued under any addendum thereto.