

21 July 2023

Dear Sir / Madam,

**Tender Reference No. ATPHKTO/2023/002**  
**Invitation to Tender for the Website Design, Management and**  
**Maintenance Services Provider for the**  
**ATP Hong Kong Tennis Open 2024**

You ("the Company") are invited to submit a tender for the Website Design, Management and Maintenance Services Provider for ATP Hong Kong Tennis Open 2024 as specified in these tender documents.

1. Your tender proposal should be submitted, in **one hard copy and one soft copy (preferably in USB flash drive) specified in the tender**, in **two separate sealed envelopes** with labels as specified in paragraph 2 below, no later than **12:00 noon on 1 August 2023** (Hong Kong time) into the tender box located at the office of **Hong Kong Tennis Open Event Management Limited ("HKTOEM") - Room 1021, 1 Stadium Path, So Kon Po, Causeway Bay, Hong Kong.** Tenders submitted after the above time or tenders deposited at a place other than that stated above will **NOT** be considered.
2. The labels for the two sealed envelopes shall be specified as follows:
  - a. Label with **"Technical Proposal** for Website Design, Management and Maintenance Services Provider for the ATP Hong Kong Tennis Open 2024"
  - b. Label with **"Fee Proposal** for Website Design, Management and Maintenance Services Provider for the ATP Hong Kong Tennis Open 2024"

Please note that the envelope labelled with "Technical Proposal" shall **NOT** include any pricing details. Failure to do so will render the tender null and void.

3. The tenderer shall provide the completed "Company information" as provided in Annex 3 of the tender invitation.
4. In the event Typhoon Signal No. 8 (or above) or Black Rainstorm Warning is hoisted at or before 9:00 a.m. on the tender closing date, the closing time will be automatically postponed to 12:00 noon on the next working day.
5. HKTOEM is not bound to accept any proposal it may receive and may consider any proposal based on criteria it deems appropriate at its full discretion.

6. It should be noted that HKTOEM will not be responsible for the reimbursement of any cost incurred by you for the preparation of the submission.
7. All tender documents can be downloaded from the Hong Kong, China Tennis Association (HKCTA) website: <http://www.tennishk.org/en/about-us/tender-information>.
8. For queries regarding this tender invitation and/or tender process, please contact Ms. Edith Lun at 2504 8266 or via email: [procurement.hkto@tennishk.org](mailto:procurement.hkto@tennishk.org).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Chris Lai', followed by a period.

Chris Lai  
Chief Executive Officer  
Encl.

**Tender Reference No. ATPHKTOEM/2023/002**  
**Invitation to Tender for the Website Design,**  
**Management and Maintenance Services Provider for**  
**the ATP Hong Kong Tennis Open 2024**

**Please adhere the following labels on separate sealed envelopes of your submitted tender.**

**“Confidential”**

**Technical Proposal**

Hong Kong Tennis Open Event Management Limited  
The Tender Box  
Room 1021, 1 Stadium Path,  
So Kon Po, Causeway Bay, Hong Kong

Ref: No.: ATPHKTO/2023/002

Website Design, Management and Maintenance Services Provider  
for the ATP Hong Kong Tennis Open 2024

Name of Tenderer: \_\_\_\_\_

*\* One hard copy and one soft copy in USB flash drive of Technical Proposal are attached.*

**“Confidential”**

**Fee Proposal**

Hong Kong Tennis Open Event Management Limited  
The Tender Box  
Room 1021, 1 Stadium Path,  
So Kon Po, Causeway Bay, Hong Kong

Ref: No.: ATPHKTO/2023/002

Website Design, Management and Maintenance Services Provider  
for the ATP Hong Kong Tennis Open 2024

Name of Tenderer: \_\_\_\_\_

*\* One hard copy and one soft copy in USB flash drive of Fee Proposal are attached.*

# Tender Documents for Website Design, Management and Maintenance Services Provider for the ATP Hong Kong Tennis Open 2024

## **Employer**

Hong Kong Tennis Open Event Management Limited (“HKTOEM”), a subsidiary of Hong Kong, China Tennis Association

Room 1021,  
1 Stadium Path, So Kon Po,  
Causeway Bay,  
Hong Kong

July 2023

## 1. Introduction

With the goals of furthering tennis development in Hong Kong and boosting the city's status as an international city and events hub, Hong Kong, China Tennis Association ("HKCTA") has partnered with event license holder IMG to bring an ATP men's professional tennis event to Hong Kong for the first time since 2002.

Hong Kong Tennis Open Event Management Limited ("HKTOEM"), a subsidiary of HKCTA, has thus been established to organise the ATP Hong Kong Tennis Open (the "Tournament" or the "Event"). The Tournament will receive its operating funding primarily through a to-be-announced title sponsor (a locally incorporated licensed bank), support from the HKSAR Government, and various co-sponsors. As the first ATP event in Hong Kong in more than 20 years, the Tournament is positioned to be a major draw for sports fans in the region as it forms part of one of the most established and popular sports tours globally.

The ATP 250 level tournament will be held at Victoria Park Tennis Stadium, Causeway Bay from **31 December 2023 to 7 January 2024** with total prize money of more than US\$650,000 and a 28-player singles draw. It takes place in the first week of the ATP's 2024 season and is followed by the Australian Open in Melbourne two weeks later, making it a key event in the Grand Slam preparation for players.

The Tournament name will be updated to include the title sponsor after the title sponsorship announcement (targeted for late July).

## 2. The Tournament

The Tournament is positioned as a high-profile, major international event featuring global stars and the highest level of professional tennis. The Tournament is a meaningful and remarkable event for Hong Kong, HKCTA and the title sponsor, being the first ATP event in the city in more than two decades and in a post-pandemic landscape, one of the highest profile new events to launch in the region. The Tournament wishes to showcase the professionalism, power and passion of the ATP players competing, whilst highlighting the fun and festivity of the event for sports lovers as well as the general public.

The overarching theme of the event is centred around 'connectivity'- connecting Hong Kong with the global community through this high-profile international event, connecting Hong Kong with the ATP Tour and men's tennis once again, connecting the title sponsor with current and potential new customers, and connecting with sports fans both local and overseas.

Its secondary theme is of 'festivity' with entertainment and an atmosphere of fun & joy being key components of the Event, and the title sponsor wishes to reach a younger demographic through the Tournament and connect with individuals from the next generation. Additionally, HKCTA and the

Tournament wish to connect with the local community, and encourage participation in tennis and sports generally through CSR events, whilst also advancing elite player development through active participation in the Tournament and inspiring future generations of players.

The Tournament will be held at Victoria Park Tennis Stadium, in which the main stadium and two additional show courts will be used to play matches, as well as courts allocated as practice courts. Matches for the qualifying rounds on 31 December and 1 January (morning) will be free of charge, with paid ticketing starting for main draw matches starting on the afternoon of 1 January onwards. The detailed match schedule and pricing details will be finalised at a later stage. Centre Court houses a maximum of 3,600 spectators, while matches held at the two show courts together can house 500 – 600 spectators. (See rough floor plan below)

Apart from the core tournament activities at the stadium, the Tournament Village will be built adjacent to the stadium which will provide food, beverages, activities and entertainment to ticket holders and the general public, with a separate marquee for VIP/Hospitality guests. The Village will embrace the fun/festivity/carnival aspects of the Tournament theme with its entertainment offerings. The intimate location of the Village, just steps away from the Centre Court stadium will provide the tournament with a convenient and connected guest and fan experience.



The tentative tournament schedule is as follows:

31 December (Sunday) – 1 January (Monday)	Singles Qualifying (16 draw – 12 matches)
1 January (Monday) – 7 January (Sunday)	Singles Main Draw (32 draw – 27 matches)
1 January (Monday) – 7 January (Sunday)	Doubles Main Draw (16 draw – 15 matches)

Matches for Main Draw are likely to be played between 2pm and 11pm with details and schedule to be finalised:

	Mon Jan 1	Tue Jan 2	Wed Jan 3	Thur Jan 4	Fri Jan 5	Sat Jan 6	Sun Jan 7
MATCH STARTING TIME*	2 pm	2 pm	2 pm	2 pm	1 pm	1 pm	1 pm

\*Gates will open 1 hour before the commencement of matches

### 3. Target Audience

The key target audience includes the following:

4.1 Primary target: spectators who buy tickets to watch the tournament. They are likely amateur players participating in tennis in various private clubs and sports clubs, or sports enthusiasts. Mostly in the age range of 25 – 65.

4.2 Secondary target: Mass general public, with focus on younger people and young families. The tournament village is open to all. We aim to encourage parents to bring along children (aged 3 – 15) and promote healthy outdoor activities to primary / secondary school students.

### 4. Purpose of the tender

The purpose of the tender is to solicit proposals to establish a contract with a qualified Website Design, Management and Maintenance Services Provider (“Company”) for designing, maintaining and managing a new website for the Tournament. HKTOEM expects to base the overall website structure on the existing website for the WTA Prudential Hong Kong Tennis Open ([www.hktennisopen.hk](http://www.hktennisopen.hk)) (although Company’s are invited to propose an improved structure) and is looking for an exciting, eye-catching and user-friendly creative design to make the site stand out and entice visitors. This document sets out the requirements and selection criteria to be used.

### 5. Scope of Works

#### **General**

- a) Domain search and registration

- b) Cloud storage/server storage facilities for website for 12 months or more
- c) Full design of website for the event (trilingual- English, Simplified Chinese and Traditional Chinese). For general site structure and sitemap, vendor is welcome to follow Prudential Hong Kong Tennis Open website ([www.hktennisopen.hk](http://www.hktennisopen.hk)), or vendor is also welcomed to propose an alternative improved website structure. Website should have a vibrant/energetic design with a modern feel and strong user experience. CMS software adopted should be easy to manage for all users.
- d) Responsive design / programming works for desktop and mobile (UX & UI design, wireframing, prototyping); front end development; back-end development; CMS development; database creation. Design for whole site should be template based.
- e) Technical Requirements:
- SEO friendly
  - Responsive design
  - Fast page loading speeds
  - Support re-direct/hyperlink function /web-web/ web-app/ Openapi (connect with the ticketing app/web)
  - System should support quick fix of any image or content
  - Fully support image, video and text
  - Support share function of social media platforms/ embed social media platforms (e.g. youtube official channel live function, Facebook Live function)
  - Click to call function
- f) Quality assurance and user acceptance testing (UAT)
- g) Google Analytics tracking and traffic analysing, including:
- Site traffic data
  - Demographic data
  - Session engagement data
- h) e-Newsletter design with supporting function on website and distribution (analytics report required)
- Approx. 4 issues (from September to December- TBC)
  - Layout of images and text
  - Photo retouching (approx. 5 -6 photos per issue)
  - Format for Mail chimp send out



- i) Adoption of e-version for Tournament programme booklet and upload to website (Tournament Programme booklet provided by HKTOEM) plus any other relevant publicities related to the event (display in attractive and presentable way)
- j) SEO Setup
  - Reviewing all pages Meta keywords and Meta description for SEO
  - Meta & Link Elements update
  - Automatically create XML sitemaps
- k) Server-related technical support
  - Servers maintenance
  - Technical support for 12 months
  - Emergency support and bug fixing if any. (The related issue must be fixed within 2 hours, no matter if during non-office hours)
  - System back-up and recovery
- l) Technical support during the tournament
  - Onsite technical support at venue for a total of 2 days before and during the tournament period to integrate set up of streaming live scores data and live draw with data vendor (8 hours per day, dates to be confirmed)
  - Live scoring support throughout tournament and all the relevant technical issues need to be fixed on site.
  - Continuous live support during tournament period (December 31-January 7) for upload of order of play, match results, daily news, daily photos/videos (order of play to be uploaded on the night before)
  - Real time updates and immediate technical support
  - Support services: daily backup, maintenance services
- m) Web app design & development
  - Design, layout and development of progressive web app for event. The content and layout should be extracted/based on the event's official website. Web app should function like a platform-specific app that can be installed on a device, can operate while offline and in the background, and can integrate with devices and with other installed apps. The intention of the web app is to enhance the user experience for mobile.
  - Maintenance and updating of web app in accordance with website (Just update once)
  - Web app is to be developed at same time as website and can be launched by phase (e.g. for the first launch in September only focus on event info, and the 2<sup>nd</sup> phase should focus on the tournament activities, order of play, ticketing and the players lineup.)

- Integration with the API provided by ticketing agency & ATP (for live scoring function) may be required.
- In addition to website, the web-app should provide more engagement and interaction functions.

**Please indicate the cost for web app development and also the cost for a regular mobile version of the website clearly in the quotation.**

### ***Detailed Website Design Requirements***

#### **a) Homepage**

Full homepage design, including:

- Design of top banner & navigational bar and integration of logos
- Photo editing and retouching for carousel banners x 15 (may also consider to use static banner / video)
- Pop-up message alerts and pop-up banner capability
- Photo editing and retouching for Pop-up x 5
- Design for banners or icons x 8
- CMS for image, video and text updates
- Integration of social media feeds & Facebook Live
- News and video integration
- Live scoring feature on homepage, with link to live scoring page (see d) below)

#### **b) Overview section**

Design of pages, including:

- Sponsors' logos retouch
- Design attractive way to show all different logos
- Design of icons as necessary for all pages
- CMS for image, video and text updates
- PDF downloading function for e-booklet

#### **c) Tickets section**

- CMS for image, video and text updates
- Links to ticketing site/Corporate Box Flyer (weekly update in excel format required for box reservations)
- Create e-form for VIP box section, detailed info generation and need to provide the daily update automatically.
- Integration with the API provided by ticketing agency may be required.
- May need to integrate with existing HKCTA membership database to enhance the user experience and data analysing
- Provide the purchasing records for both customers and HKCTA
- Customer database should be able to be extracted for analysing

d) Draw & Scores section

- Inclusion of live scoring feature for live matches and match results. ATP will provide API for live scoring which the Company must integrate to website. The live scoring feature should be integrated into the homepage during the tournament with a 'preview' of the live matches with the full set of live scores and completed matches on the 'Scores' page. Company is required to do all testing to ensure integration is successful and there are no issues or delays with live scoring. Visit <https://www.atptour.com/en/> and <https://www.atptour.com/en/scores/current/wimbledon/540/results> for reference.
- Streaming live draw & scores data from data provider
- Design of pages for tournament draws and scores

e) News & Media section

- Photos editing and retouching x 6
- CMS for image, video and text updates
- Design of news page, photo gallery and video gallery
- Integration of social media feeds
- Media Accreditation: Create e-form for media accreditation with system that sends updates / info on a daily basis. All records need to be stored and shown in CMS for easy access.

f) Schedule section

- "Order of Play" update during tournament week (30 Dec- 6 Jan- on the night before each day's matches start)
- CMS for image, video and text updates

g) Players section

- CMS for image, video and text updates, links to ATP player pages
- The bios / details of players should be shown in an eye-catching, vibrant and modern way as the players are key to the tournament and how we boost the ticket sales

h) Community section

- Photos editing and retouching x 10
- CMS for image, video and text updates
- Volunteers and Ballpersons: create e-form for both categories with system to send daily record update

i) Contact Us section

- CMS for image, video and text updates
- Design of 'Contact us' e-form with daily updates in excel format on received enquiries through e-form required

### Optional Item (quote separately)

#### j) E- Shop (Merchandise) Page

- Addition of page for selling official event merchandise
- E-shop function with integrated payment platform, including following:
  - Commerce shopping cart plugin installation and configuration
  - Enable analytics and reporting
  - Enable product attributes
  - Enable EDM for order / invoice
  - Member Login / register (please indicate if system can differentiate between HKCTA or non-HKCTA members etc)
  - Forget Password function
  - Order management
  - Order records for both customer and HKCTA
  - Bulk purchase discount function
  - Discount code function
  - Shipping method selection (for Hong Kong only)
  - Payment gateway integration (assume it will integrate with existing HKCTA membership gateway)

### Design Direction

- Must showcase the sponsorship of title sponsor throughout whole site design. Site should utilise title sponsor's branding elements, including colours from title sponsors logo and brand identity (further information will be shared with service provider at later date).
- The main colour palate should focus on the primary red colour from the title sponsor's logo and brand identity (please refer to pantones below). This should be combined with some use of the title sponsor's secondary grey colour and use of the blue from the ATP logo and brand identity.

Primary colour

C0 M100 Y70 K30  
PANTONE 201  
R182 G0 B42  
#B6002A

Secondary colour

C10 M0 Y0 K50  
PANTONE 430  
R146 G154 B159  
#929A9F

Secondary colour (blue)



- Style should match high-end nature of tennis, and create a fun & energetic feel whilst retaining a stylish aesthetic.
- Design should be consistent with the overall event image.

### **Notes on Scope**

- a) All works stated above apply to English, Traditional Chinese and Simplified Chinese versions of website, also applicable for both PC/laptop and mobile versions.
- b) ATPHKTO reserves the right to remove any part or item from the above scope of works when awarding the contract.
- c) All images, video and copy will be provided by HKTOEM and all rights reserved.

## **7. Requirements**

- i. The Company should have proven expertise in the production and maintenance of similar websites and web apps.
- ii. Proven experience in designing and maintaining websites
- iii. The website needs to be launched by mid-September to coincide with ticketing launch and appointed Company will need to work to meet this timeline. UAT needs to be started by early September.
- iv. Technical support via mobile is essential
- v. Provide a portfolio of work with references

## **8. Applicant Submission**

Applicants are required to submit the following information in their tender documents:

- i. **Background about the Applicant**
- ii. **Credentials** - Experience in providing website services of similar nature and testimonials from previous clients and portfolio
- iii. **Details of the Project Team** - Resources allocated to the project, including any proposed outsourcing or contracted work (in which case background and credential details should also be provided for such parties)
- iv. **Other** – it is encouraged that all applicants should think creatively and include in their proposal extra features/services they can provide in order to produce the best service and in keeping with the theme of the Tournament
- v. **Price** – clear breakdown on the price of services in the fee proposal as mentioned above.
  - a. **Optional Services:** The Company may include the fees of any optional services they wish to suggest for consideration in the fee proposal

## **9. Tender Selection Criteria**

The selection of the winning proposal will be based on the respective applicants' score out of 100 for the following areas:

Ability to meet the scope of work	30%
Qualifications and Experience	20%
Demonstrated capability - Design & Creativity	20%
Price (excluding the optional items)	30%

The criteria that will be used to assess Company's Ability to meet the scope of work will be as follows:

- a) The level of design and creativity to enhance the look and feel of the website and to maximise the awareness of the event, both locally and internationally, as well as increasing the spectator attendance.

The criteria that will be used to assess the Company's Qualifications and Experience will be as follows:

- a) Company's experience in relevant projects
- b) Qualifications and expertise of staff involved in this project

The criteria that will be used to assess the Company's Demonstrated capability will be as follows:

- a) Any work sample of relevant past projects showing the quality and ideas to develop and manage the decent website in driving awareness and viewership
- b) Any references / testimonials provided

## 10. Others

### a) Offering Gratuities

- i. Company shall not, and shall procure that his employees, agents and sub-contractors shall not, offer an advantage as defined in the Prevention of Bribery Ordinance (Cap 201), in connection with the request for proposal and execution of the final contract.
- ii. Failure to so procure or any act of offering advantage referred to in (i) above committed by Company or by an employee, agent or sub-contractor of the Company shall, without affecting the Company's liability for such failure and act, will result in its contract being invalidated.

### b) Anti-Collusion

- i. Company shall not communicate to any person or entity other than HKCTA and HKTOEM the amount of any quote, adjust the amount of any quote by arrangement with any other person, make any arrangement with any other person about whether or not he or that other person should or should not submit proposal or otherwise collude with any other person in any manner whatsoever in the process. Any breach of or noncompliance with this sub-clause by Company shall, without affecting the Company's liability for such breach of rules and laws or non-compliance, invalidate the proposal it submitted.
- ii. Sub-clause (i) of this Clause shall have no application to the Company's communications in strict confidence with his own insurers or brokers to obtain an insurance quotation for computation of quotation and communications in strict confidence with his consultants / sub-contractors to solicit their assistance in preparation of proposal submission.

## **11. Expression of Interest**

Company shall submit to the Hong Kong Tennis Open Event Management Limited a duly signed Expression of Interest in the form set out in Annex 1 to confirm that the information provided in all the submitted documents are true, complete, accurate and not misleading.

## **12. Terms & Conditions**

### **12.1 Awarding of Tender**

All tender applications satisfying the requirements of this request for proposals will be evaluated to establish which of the applicants' proposals would best fulfill the needs of HKTOEM and the Event. This tender document, however, does not commit the HKCTA nor HKTOEM to award a contract, to pay any costs incurred in the preparation of the tender application or a contract for the goods and/or services offered. HKTOEM reserves the right to accept or reject any or all tender applications received as a result of this tender document, to negotiate with all qualified tenderers or to cancel this tender, if it is in the best interests of the HKTOEM to do so. The decision of the HKTOEM shall be final.

### **12.2 Postponement of Tournament**

In the event that the tournament is postponed or rescheduled to alternative dates, the appointed Service Provider(s) will be required to adjust and reschedule the services accordingly. In such an instance, the appointed Service Provider will not be entitled to receive any compensation or charge any additional service fee, unless otherwise agreed with HKTOEM in writing.

### **12.3 Cancellation of Services**

In the event that HKTOEM cancels all or part of the confirmed scope of works of the appointed Service Provider(s) due to the cancellation of the tournament or for any other reason, HKTOEM reserves the right to solely determine the cancellation fee(s) paid to the Service Provider(s), if any.

## **Annex 1: Expression of Interest**

\_\_\_\_\_ wishes to register interest and apply to be a  
(insert name of organisation)

supplier of the ATP Hong Kong Tennis Open 2024. I confirm that the information given in the submitted proposal documents are true, complete, accurate and not misleading.

Authorised Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## **Annex 2 - Warranty**

To: Hong Kong Tennis Open Event Management Limited

Dear Sir/Madam,

### **Warranty**

1. By submitting a proposal, the applicant represents and warrants that in relation to the proposal for the Website Design, Management and Maintenance Services Provider for the ATP Hong Kong Tennis Open 2024,
  - i. it has not communicated and will not communicate to any person or entity other than the Hong Kong, China Tennis Association and Hong Kong Tennis Open Event Management Limited the amount of any proposed price;
  - ii. it has not fixed or will not fix the amount of any proposed price by arrangement with any person;
  - iii. it has not made and will not make any arrangement with any person as to whether it or that other person will or will not submit a proposal; and
  - iv. it has not otherwise colluded and will not otherwise collude with any person in any manner whatsoever in the request for proposal process.
2. In the event that the applicant is in breach of any of the representations and/or warranties in Clause (1) above, Hong Kong Tennis Open Event Management Limited shall be entitled to, without compensation to any person or liability on the part of the Hong Kong, China Tennis Association and Hong Kong Tennis Open Event Management Limited:
  - i. reject the proposal submitted;
  - ii. if the Hong Kong Tennis Open Event Management Limited has accepted the proposal, withdraw its acceptance of the proposal; and
  - iii. if the Hong Kong Tennis Open Event Management Limited has entered into the contract with the applicant, terminate the contract.
3. The applicant shall indemnify and keep indemnified the Hong Kong, China Tennis Association and Hong Kong Tennis Open Event Management Limited against all losses, damages, costs or expenses arising out of or in relation to any breach of any of the representations and/or warranties in Clause (1) above.
4. Clause (1) shall have no application to the applicant's communications in strict confidence with its own insurers or brokers to obtain an insurance quotation for computation of the proposed price, or

with its professional advisers, and consultants or sub-contractors to solicit their assistance in preparation of proposal submission. For the avoidance of doubt, the making of a bid by a bidder to the Hong Kong Tennis Open Event Management Limited in public during an auction will not by itself be regarded as a breach of the representation and warranty in Clause (1)(i) above.

5. The rights of the Hong Kong Tennis Open Event Management Limited under Clauses (2) to (4) above are in addition to and without prejudice to any other rights or remedies available to it against the applicant.

Authorised Signature & Company Chop: \_\_\_\_\_

Name of Person Authorised to Sign (in Block Letters): \_\_\_\_\_

Name of Applicant in English (in Block Letters): \_\_\_\_\_

Date: \_\_\_\_\_

### Annex 3: Company Information

- 1 Name of Company (English) : \_\_\_\_\_  
(Chinese) : : \_\_\_\_\_
- 2 Registered Office : \_\_\_\_\_  
\_\_\_\_\_  
  
Postal Address : \_\_\_\_\_  
(If different from above) \_\_\_\_\_
- 3 Web-site : \_\_\_\_\_
- 4 Business Registration Certificate No. : \_\_\_\_\_  
(Please attach a copy)
- 5 Date of Commence of Business : \_\_\_\_\_
- 6 Contact Person
- (a) Name : \_\_\_\_\_
- (b) Title & Department : \_\_\_\_\_
- (c) Direct line : \_\_\_\_\_
- (d) Fax no. : \_\_\_\_\_
- (e) Email address : \_\_\_\_\_

#### Signed for and on behalf of the Company :

Signature and Company Chop : \_\_\_\_\_

Name in Block Letters : \_\_\_\_\_

Position : \_\_\_\_\_

Date : \_\_\_\_\_

## **Technology Voucher Programme**

### **Model Clauses in Probity and Non-Collusive Quotation/Tendering Certificate**

(for Submission by Bidder/Tenderer to Applicants)

#### **Notes:**

- (1) *The appropriate wording to be used in the Certificate will depend on the specific project and quotation/tender, and that the wording set out below is intended to act as a general reference only.*
  - (2) This Certificate should be **addressed to the applicants** (showing its full name as shown on the Business Registration Certificate/Certificate of Incorporation) and include the **signature of a person authorised to sign the relevant contract on behalf of the bidder/tenderer, together with his/her name and position and the date of signing clearly shown at the end of this Certificate.**
- 

#### **Probity and Non-Collusive Quotation/Tendering Certificate for (the “Project”)**

*(Project Title)*

1. We, \_\_\_\_\_  
*(name of bidder/tenderer, which should be the same as that shown in the quotation/tender)*  
Of \_\_\_\_\_  
*(address of bidder/tenderer, which should be the same as that shown in the quotation/tender)*  
refer to the quotation/tender for the Project (the “Quotation/Tender”) and our bid in relation to the Quotation/Tender.

#### **Probity**

2. We represent and warrant that in relation to the Quotation/Tender:
  - (a) we shall not, and shall procure that our directors, employees, agents and sub-contractors shall not, offer, solicit or accept an advantage as defined in the Prevention of Bribery Ordinance (Cap. 201), in connection with the quotation/tendering and execution of the contract for the Project; and
  - (b) failure to so procure or any act of offering, soliciting or accepting advantage referred to in paragraph 2(a) above committed by us or by a director, employee, agent or sub-contractor of us shall, without affecting our liability for such failure and act, result in our bid being invalidated.

#### **Non-collusion**

3. We represent and warrant that in relation to the Quotation/Tender:
  - (a) Our bid was developed genuinely, independently and made with the intention to accept the contract for the Project if awarded;

- (b) Our bid was not prepared with any agreement, arrangement, communication, understanding, promise or undertaking with any person (including any other bidder/tenderer or competitor) regarding:
- (i) prices;
  - (ii) methods, factors or formulas used to calculate prices;
  - (iii) an intention or decision to submit, or not submit, a bid;
  - (iv) an intention or decision to withdraw a bid;
  - (v) the submission of a bid that does not conform with the requirements of the quotation/tender;
  - (vi) the quality, quantity, specifications or delivery particulars of the products or services to which this quotation/tender relates; and
  - (vii) the terms of the bid,

and we undertake that we will not, prior to the award of the contract for the Project, enter into or engage in any of the foregoing.

4. Paragraph 3(b) of this certificate shall not apply to agreements, arrangements, communications, understandings, promises or undertakings with:

- (a) \_\_\_\_\_ (the “Applicant”);  
*(name of applicant)*
- (b) a joint venture partner, where joint venture arrangements relevant to the bid exist and which are notified to the Applicant;
- (c) consultants or sub-contractors, provided that the communications are held in strict confidence and limited to the information required to facilitate that particular consultancy arrangement or sub-contract;
- (d) professional advisers, provided that the communications are held in strict confidence and limited to the information required for the adviser to render their professional advice in relation to the Quotation/Tender;
- (e) insurers or brokers for the purpose of obtaining an insurance quote, provided that the communications are held in strict confidence and limited to the information required to facilitate that particular insurance arrangement; and
- (f) banks for the purpose of obtaining financing for the Project, provided that the communications are held in strict confidence and limited to the information required to facilitate that financing.

#### **Disclosure of subcontracting**

5. We understand that we are required to disclose all intended sub-contracting arrangements relating to the Quotation/Tender to the Applicant, including those which

are entered into after the contract for the Project is awarded. We warrant that we have duly disclosed and will continue to disclose such arrangements to the Applicant.

### **Consequences of breach or non-compliance**

6. We understand that in the event of any breach or non-compliance with any warranties or undertakings in this certificate, the Applicant may, at its discretion, invalidate our bid, exclude us in future quotations/tenders, pursue damages or other forms of redress from us (including but not limited to damages for delay, costs and expenses of re-quotation/re-tendering and other costs incurred), and/or (in the event that we are awarded the contract for the Project) terminate the contract.
7. Under the Competition Ordinance, bid-rigging is serious anti-competitive conduct. We understand that the Applicant may, at its discretion, report all suspected instances of bid-rigging to the Competition Commission (the “Commission”) and provide the Commission with any relevant information, including but not limited to information on our bid and our personal information.

### **Disclosure of information**

8. We understand that our bid will be used by the Applicant to apply for funding support under the Technology Voucher Programme (“TVP”) administered by the Innovation and Technology Commission (“ITC”) of the HKSAR Government. By submitting our bid, we consent to the disclosure and use by the Applicant to ITC and further disclosure by ITC to other Government bureaux/ departments, statutory bodies or third parties of the information (including personal data) contained in our bid for the purposes of processing the TVP application, conducting research and survey, compiling statistics, meeting requirements of the law and/or performing their functions, and if the application is approved, monitoring the Project, disbursing funding or related purposes.

*Bidder/Tenderer:*

---

*(Signature)*

---

*(Name of authorised person)*

---

*(Post Title)*

---

*(Date)*

---

*(Company Chop)*