

FORM OF TENDER – P.2

1. Having inspected the Site, examined the Drawings, General Conditions of Contract and Special Conditions of Contract (hereinafter referred to as "the said Conditions"), Specification and Bills of Quantities for the execution of the Works as defined in the Contract, I/we offer to construct, complete and maintain the whole of the said Works in conformity with the said Conditions, Drawings, Specification and Bills of Quantities for the sum of Dollars

_____ [HK\$ _____]

or such sum as may be ascertained in accordance with the said Conditions, Drawings, Specification and Bills of Quantities.

{Internal Remark: Paragraph 2 may be deleted if a security is not required}

2. [If my/our Tender is accepted I/we will when required

#(a) deposit with the Director of Accounting Services, the Government of the Hong Kong Special Administrative Region, as security for the due performance of the Contract a sum of \$_____, such deposited sum to be returned to me/us in accordance with the said Conditions.

#(b) with the approval of the Employer obtain the guarantee of a Bank or Insurance Company [to be approved by the Employer] to be jointly and severally bound with me/us in a sum of \$_____ for the due performance of the Contract under the terms of a Bond in accordance with the said Conditions.]

NOTE: Tenderer to delete either clause 2(a) or 2(b).

3. I/We agree to abide by this Tender for the period of [90 days]¹ from the date, or the extended date if this has been extended, of expiry fixed for receiving the same and it shall remain binding upon me/us and may be accepted at any time before the expiration of that period.
4. Unless and until the Articles of Agreement is prepared and executed, this Tender together with the written acceptance thereof by the Employer and subject to the provisions of [clause 3]² hereof shall constitute a binding contract between us.
5. I/We understand that the Employer reserves the right to negotiate with any tenderer about the term of the offer and is not bound to accept any tender irrespective of whether the tender is the lowest offer or, where the assessment of the tenders is based on a marking scheme or formula approach, the tender is with the highest overall score.

¹ Information to be inserted by the Project Office (normally 90 days).

² Modify as appropriate.