

漁農自然護理署
九龍長沙灣道三零三號
長沙灣政府合署五樓



AGRICULTURE, FISHERIES AND
CONSERVATION DEPARTMENT
5th Floor, Cheung Sha Wan Government Offices
303 Cheung Sha Wan Road,
Kowloon, Hong Kong

本處檔號 OUR REF.: () in L/M (780/2022) in AF GR CPA 06/8/4
來函檔號 YOUR REF.:
電 話 TEL NO.: 2150 6841
圖文傳真 FAX.: 2317 0482

1 December 2022

To: Potential Tenderers

Dear Sir/Madam,

Addendum No. 1

Tender Ref.: AFCD/HTT/01/23

**Provision of Cleansing Services to Ham Tin, Tai Wan & Tung Wan Areas
in Sai Kung East Country Park**

Further to our invitation to tender dated 21 October 2022 on the above subject, we would like to inform you that the following amendments have been made to the tender document:

- (a) A new clause 2.10 (Invitation to Tender) of Terms of Tender (Page 18) is added; and
- (b) A new clause 58 (United Nations Convention on Contracts for the International Sale of Goods not applicable) of Conditions of Contract (Pages 92 and 145) is added

The relevant amendment on Pages 18, 92 and 145 of the Tender Document (with indication of "Addendum No.1" and the amendment is typed in ***Bold and Italic*** for easy reference) are attached for your information and replacement. Please replace the relevant pages by the revised one as attached.

The above amendments shall form part of the tender document. Despite the above, all other terms and conditions of the Tender Document shall remain unchanged.

Interested parties are reminded to deposit their tender proposals before **12:00 noon (Hong Kong time) on 5 December 2022**. A late tender, including a tender posted prior to, but received after the closing date, will not be considered.

If you have already submitted your tender proposals and wish to make changes to them, you should do so by submitting a revised proposal in accordance with the manner stipulated in the tender documents.

Yours faithfully,

(LEE Ying-ming)

for Director of Agriculture, Fisheries and Conservation

c.c. Internal SO

Encl. (3 pages)

Please address all replies to Director of Agriculture, Fisheries and Conservation

覆函請寄交「漁農自然護理署署長」

and conditions set out in the Tender Document.

2.10 The provisions of the United Nations Convention on Contracts for the International Sale of Goods shall not apply to this Invitation to Tender and a Tender submitted by a Tenderer in response to this Invitation to Tender.

3. Essential Requirements and Information to be submitted

3.1 No Subcontracting of Services

No proposal for sub-contracting of any or all parts of the Contract shall be made. A Tender containing a sub-contracting proposal **will not be considered further and will be disqualified.**

3.2 Debarment on Convictions and Demerit Points

3.2.1 Past Convictions

(a) A Tenderer who is convicted of any offence under the relevant sections of the following Ordinances (such offences are collectively referred to as “**Relevant Offences**”) is subject to the Debarment Period of a maximum of five years from the date of the Tenderer’s last conviction, during which period the Tenderer is debarred from tendering for this Contract. The length of the Debarment Period is determined in accordance with Clauses 3.2.1(d) and 3.2.1(e) below and may be reviewed under the Review Mechanism in Clause 3.2.1(f) below. The Relevant Offences are as follows-

(i) any offence under the Employment Ordinance or the Employees’ Compensation Ordinance (Chapter 282 of the Laws of Hong Kong), convictions in respect of which individually carries a maximum fine corresponding to Level 5 or higher within the meaning of Schedule 8 to the Criminal Procedure Ordinance; or

(ii) section 17I(1) or 38A(4) of the Immigration Ordinance; or

(iii) section 89 of the Criminal Procedure Ordinance and Section 41 of the Immigration Ordinance (aiding and abetting another person to breach his condition of stay); or

(iv) section 7, 7A, 7AA, 43B(3A), 43BA(5) or 43E of the MPFS Ordinance; or

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- (d) Terms of Tender;
- (e) Tender Form (GF231); and
- (f) Interpretation.

57.2 The Materials are items to be prepared and/or supplied by the Contractor pursuant to requirements of the Contract. They shall form part of the Contract. No Materials shall seek to waive, alter, cancel or amend any provisions of any documents listed in Clause 57.1 above. No general approval of, or signature by, the Government of any such Material shall be taken as agreement or approval of any such waiver, cancellation, alteration or amendment, unless the Government expressly acknowledges and agrees on a case-by-case basis to this effect. This shall apply even if any such Material is signed or given approval after the Date of Tender Acceptance.

58. United Nations Convention on Contracts for the International Sale of Goods not applicable
The Parties hereby agree that the provisions of the United Nations Convention on Contracts for the International Sale of Goods shall not apply to this Contract.