

NON-COLLUSIVE QUOTATION CERTIFICATE

(To be completed and returned together with the Quotation submission)

To: The Government of the Hong Kong Special Administrative Region
as represented by the Official Receiver (“Government”)
Official Receiver’s Office
10th Floor, High Block, Queensway Government Offices
66 Queensway,
Hong Kong.

Dear Sir/Madam,

Non-collusive Quotation Certificate

1. I/We, (name of the Service provider) _____ of
(address(es) of the Service provider) _____

refer to the Government’s invitation for Quotation for Provision of Legal Service for Conveyancing Work (Quotation Ref: ORO CMD/3-5/30/1) (“Invitation to Quotation”) and my/our Quotation in response to the Invitation to Quotation

Non-collusion

2. I/We represent and warrant that in relation to the Invitation to Quotation:
- (a) My/Our Quotation was prepared genuinely, independently and made with the intention to accept the Contract if awarded;
 - (b) My/Our Quotation was not prepared with any agreement, arrangement, communication, understanding, promise or undertaking with any person (including any other Service provider or competitor) regarding:
 - (i) prices;
 - (ii) methods, factors or formulas used to calculate prices;
 - (iii) an intention or decision to submit, or not submit, any Quotation;
 - (iv) an intention or decision to withdraw any Quotation;
 - (v) the submission of any Quotation that does not conform with the requirements of the Invitation to Quotation;
 - (vi) the quality, quantity, specifications or delivery particulars of the services to which the Invitation to Quotation relates; and
 - (vii) the terms of my/our Quotation,

and I/we undertake that I/we will not, whether before or after the award of the Contract, enter into or engage in any of the foregoing.

3. Paragraph 2(b) of this certificate shall not apply to agreements, arrangements communications, understandings, promises or undertakings with:
 - (a) the Government;
 - (b) a joint venture partner with which I/we have submitted my/our Quotation, and such joint venture arrangement has already been notified to the Government in my/our Quotation;
 - (c) my/our 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) my/our 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 my/our Quotation;
 - (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;
 - (f) banks for the purpose of obtaining financing for the Contract, provided that the communications are held in strict confidence and limited to the information required to facilitate that financing; and
 - (g) any person other than the Government, provided that the Government has given prior written consent.

Disclosure of subcontracting

4. Without prejudice to other requirements set out in the Terms and Conditions of Contract concerning sub-contracting arrangement, I/We understand that I/we are required to disclose all proposed sub-contracting arrangements for the Contract to the Government in my/our Quotation, including those which will be entered into after the Contract is awarded. I/We warrant that I/we have duly disclosed and will continue to disclose such arrangements to the Government.

Consequences of breach or non-compliance

5. I/We understand that in the event of any breach or non-compliance with any representations, warranties and/or undertakings in this certificate of in Paragraph 10 of the Terms of Quotation, the Government may exercise any of the rights under Paragraphs 10(c) to 10(e) of the Terms of Quotation in addition to and without prejudiced to any other rights or remedies available to it against me/us.

6. Under the Competition Ordinance (Cap. 619), bid-rigging is serious anti-competitive conduct. I/We understand that the Government 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 my/our Quotation and my/our personal information.

Signed by the Service provider /

Signed by an authorized signatory

for and on behalf of the Service

provider

:

Name of the authorised signatory

(where applicable)

:

Title of the authorised signatory

(where applicable)

:

Date

:
