

**Quotation Invitation to Supplier and Confirmation Form by Supplier  
(Regarding Probity, Anti-collusion and Anti Bid-Rigging Requirements)**

**AMOD – TDX ONLINE CHINA LIMITED**

(Name of Procurer, i.e., BUD Fund Grantee) at:  
Unit 2112, 21/F, 2 Harbour Square, 180 Wai Yip Street, Kwun Tong, Kowloon, Hong Kong

(Address of Procurer)

(Date)

To:

(Name of Supplier)

(Fax no: \_\_\_\_\_ )

Dear Sirs / Madams,

Invitation for the  
quotation/tender of : **Lifestyle Showroom & AI Marketplace Platform**  
**Application**

(Description of Goods/Services Required)

In relation to the captioned quotation/tender, you are reminded that Supplier must abide by the following requirements:

**PROBITY**

- (1) By submitting a quotation/tender, the Supplier represents and warrants that it shall not, and shall procure that his 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/tender and execution of the contract.
- (2) Failure to so procure or any act of offering, soliciting or accepting advantage referred to in (1) above committed by the Supplier or by a director, employee, agent or sub-contractor of the Supplier shall, without affecting the Supplier's liability for such failure and act, result in his quotation/tender being invalidated.
- (3) The Procurer shall report all suspected instances of corruption to the Independent Commission Against Corruption.

(Version: 06/2022)

## **ANTI-COLLUSION AND ANTI BID-RIGGING**

- (1) By submitting a quotation/tender, the Supplier represents and warrants that in relation to the invitation of quotation/tender:
  - (i) it will make reference to the Guidelines of Independent Commission Against Corruption and Competition Commission;
  - (ii) it has not communicated and will not communicate to any person other than the Procurer the amount of any quotation/tender price;
  - (iii) it has not fixed and will not fix the amount of any quotation/tender price by arrangement with any person;
  - (iv) 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 quotation/tender;
  - (v) it has not otherwise colluded and will not otherwise collude with any person in any manner whatsoever in the quotation/tender process; and
  - (vi) it will notify and seek prior approval from the Procurer of all subcontracting arrangements after awarding the contract.
  
- (2) In the event that the Supplier is in breach of any of the representations and/or warranties in Clause (1) above, the Procurer shall be entitled to, without compensation to any person or liability on the part of the Procurer:
  - (i) reject the quotation/tender;
  - (ii) if the Procurer has accepted the quotation/tender, withdraw its acceptance of the quotation/tender; and
  - (iii) if the Procurer has entered into the contract with the Supplier, terminate the contract.
  
- (3) The Supplier shall indemnify and keep indemnified the Procurer 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) A breach by a Supplier of any of the representations and/or warranties in Clause (1) may prejudice its future standing as a supplier or service provider of the Procurer.
  
- (5) Clause (1) shall not apply to agreements, arrangements, communications, understandings, promises or undertakings with:
  - (i) the Procurer;
  - (ii) a joint venture partner, where joint venture arrangements relevant to the bid exist and which are notified to the Procurer;
  - (iii) 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;
  - (iv) 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 Tender;
  - (v) 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
  - (vi) 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.

(Version: 06/2022)

For the avoidance of doubt, the making of a bid by a bidder to the Procurer in public during an auction will not by itself be regarded as a breach of the representation and warranty in Clause (1) above.

- (6) The rights of the Procurer under Clauses (2) to (4) above are in addition to and without prejudice to any other rights or remedies available to it against the Supplier.
- (7) Bid-rigging is inherently anti-competitive and is considered serious anti-competitive conduct under the Competition Ordinance (Cap. 619). Supplier who engages in bid-rigging conduct may be liable for the imposition of pecuniary penalties and other sanctions under the Competition Ordinance. The Procurer may, at its discretion, report all suspected instances of bid-rigging to the Competition Commission and provide the Competition Commission with any relevant information, including but not limited to information on the Supplier's quotation/tender and personal information.

Please complete and return the attached confirmation for your quotation/tender. However, you are reminded that by submitting a quotation/tender, irrespectively of whether the attached confirmation is completed/returned, the Supplier represents and warrants that it has agreed to abide by the probity, anti-collusion and anti bid-rigging requirements as set out above.

Yours faithfully,



**AMOD – TDX ONLINE CHINA LIMITED**

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(Company Chop and Name of Procurer)

**Confirmation Form**

(Date) \_\_\_\_\_

To: **AMOD – TDX ONLINE CHINA LIMITED**

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(Name of Procurer)

(Fax no: \_\_\_\_\_)

Dear Sirs / Madams,

Quotation/Tender of: **Lifestyle Showroom & AI Marketplace Platform Application**

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(Description of Goods/Services Required by the Procurer)

Re. the captioned quotation/tender

I / We agree to abide by the probity, anti-collusion and anti bid-rigging requirements as set out in your invitation.

Yours faithfully,

\_\_\_\_\_  
(Signature)

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

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

Company Name : \_\_\_\_\_

Company Chop : \_\_\_\_\_