| **Clause** | | **Remarks / Guidelines** |
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| **SCT 16 Award to Trading Fund** | | |
| (1) | Tenderers should note that tenders are invited from contractors/suppliers\* providers in both the private and public sectors including department(s) of the Government of the Hong Kong Special Administrative Region whose operation of the services is managed and accounted for by trading funds established pursuant to the Trading Funds Ordinance, Cap. 430 (hereafter referred to as “the relevant trading fund department”). | This is to be used if Trading Fund is invited to tender.See FC 7/2014.  \* Delete as appropriate. |
| (2) | Unless it is in the public interest not to do so, the Government will award this contract to the tenderer who has been determined to be fully capable of undertaking this contract and whose tender, whether for domestic products or services, or products or services of others, is either the lowest tender or the tender which in terms of the specific evaluation criteria set forth in this tender documentation is determined to be the most advantageous. In the situation where the tenderer selected in accordance with the foregoing criteria is the relevant trading fund department, the Government may, instead of issuing a contract, enter into a service level agreement with the relevant trading fund department. |  |