| **Clause** | **Remarks/Guidelines** |
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| 1. **Evaluation method for use in tenders which EMSTF may be a potential bidder** [*optional clause*]
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| (1)Tenderers shall note that Government is not bound to accept the tender with the lowest forecast total of the Prices\* / Total Value for Tender Assessment (TVTA)\* or any tender and may cancel the tender exercise on public interest ground. In considering the acceptance of a tender, Government will take account of all relevant circumstances including the following :-(i) The forecast total of the Prices\* / TVTA\*;1. The effect of incident of payments by discounting future payments to obtain the present values and use the present values to substitute the forecast total of the Prices\* / TVTA\* in determining the ranking of the tenders, if the forecast total of the Prices\* / TVTA\* are very close;
2. The effect of exceptionally high or low priced items;
3. The tenderer’s capability (financially, commercially and technically) in undertaking this contract. For the avoidance of doubt, matters such as bankruptcy, false declaration, lack of integrity, acts of dishonesty and frequency and seriousness of convictions relating to site safety and environmental incidents may be taken into account in determining whether a tenderer is fully capable of undertaking this contract. For tenders submitted by EMSTF, the letters of “non-compliance” issued by the relevant regulatory authorities shall also be treated as conviction records; and
4. The effect of erratic pricing determined in accordance with Clause GCT 14 of the General Conditions of Tender.
 | For use in tenders which EMSTF may be a potential bidder.DEVB memo. ref. DEVB(W) 510/10/01 dated 2.5.2014.Net present value analysis is NOT applicable for NEC target contracts. Please replace sub-clause (1)(ii) as “not used” for NEC target contracts. |