



Invitation to Tender for the Provision of Helpdesk and Data Centre Operations Support Services from 1 April 2025 to 31 March 2028

4 October 2024

Invitation to Tender

Provision of Helpdesk and Data Centre Operations Support Services from 1 April 2025 to 31 March 2028

We are pleased to invite your company to submit a tender in respect of the captioned project. A copy of the Invitation to Tender is available for download from the “Invitations to tender” under “QUICK ACCESS” section of the SFC website (<http://www.sfc.hk>).

If your company is interested in providing the services described in the Invitation to Tender, please send your tender to the Securities and Futures Commission (SFC) at the address as shown in the Invitation to Tender by **2:30pm, Thursday 31 October 2024**. Late proposals will not be considered.

A briefing session on the requirement details will be held at the SFC, 54/F One Island East, 18 Westlands Road, Quarry Bay, Hong Kong at **9:30 am, Wednesday 9 October 2024**. Please send your registration with the signed Confidentiality Acknowledgement via email to it@sfc.hk for the briefing session at least one day in advance. Email addresses, phone numbers of your contact persons, and the names of attendees should also be included.

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Introduction

1. Background

1.1 The Securities and Futures Commission ("SFC") is outsourcing the Information Technology ("IT") Helpdesk and Data Centre Operations Support Services, and the outsourcing contract will end on 31 March 2025.

1.2

18.2 What form must proposals take?

- 18.2.1 All proposals in writing must be submitted in both physical and electronic form.
- 18.2.2 One hardcopy of each proposal must be provided, together with a softcopy on DVD-ROM or USB. The softcopy should be in Microsoft Word or PDF format.
- 18.2.3 The SFC will not consider any proposal that is submitted in writing without an accompanying softcopy.

18.3 To whom must proposals be submitted?

- 18.3.1 Written proposals should be marked with the reference "**Provision of Helpdesk and Data Centre Operations Support Services from 1 April 2025 to 31 March 2028**" and must be submitted in a sealed envelope and deposited to a TENDER BOX at the following address:

Tender Box
Securities and Futures Commission
54/F One Island East
18 Westlands Road
Quarry Bay
Hong Kong

18.4 What is the deadline for the submission of proposals?

- 18.4.1 Proposals must be received by the SFC at the above-mentioned addresses on or before **2:30 pm, Thursday 31 October 2024**.
- 18.4.2 The SFC will not consider any late proposals.

18.5 How must proposals be set out?

- 18.5.1 Each proposal must be separated into the following parts:
 - (a) a Technical Part describing the proposals;
 - (b) a Price Schedule; and
 - (c) a Letter:
 - (i) offering to carry out the works described in the Technical Part for the prices detailed in the Price Schedule in compliance with the "Payment and Other terms" set out in section 22-31 of this Invitation to Tender;
 - (ii) stating the period that the offer is to remain open;
 - (iii) undertaking to negotiate in good faith to finalize the Contract promptly and to commence work immediately thereafter;

- (iv) containing an acknowledgement and agreement that the SFC:

is not bound to accept the lowest tender or any tender;

reserves the right to make changes to the project requirement; and

will not defray any expenses incurred in tendering and/or in negotiating the Contract, whether successful or otherwise

- (v) signed by the tenderer (in the case of an individual) or a duly authorized officer of the tenderer (in the case of a company).

- (d) a signed Acknowledgement and Undertaking form (Appendix C)

18.5.2 For the proposal hardcopy as well as its softcopy, the Technical Part the Price Schedule, the letter and the Acknowledgement form must be submitted as separate documents (the Price Schedule should be on its own CD-ROM and NO other parts of the tender should be on this CD-ROM) and be placed in separate envelopes. The envelope containing the Technical Part must be clearly marked "Technical Proposal". The envelope containing the Price Schedule must be clearly marked "Price Schedule". The envelope containing the Letter must be clearly marked "Offer Letter". The envelope containing the Acknowledgement form must be clearly marked "Acknowledgement form". Price information must not be specified in the Technical Part.

18.5.3 Details in relation to what should be specified in each part are set out in APPENDIX A (Technical Part) and B (Price Schedule) to this document.

18.6 How long should tenderers' offers remain open?

18.6.1 By making a proposal in response to this Invitation to Tender, a tenderer will be treated as having made an offer to the SFC -0.002 Tn.6 (h)10.5x/pender (e)10v

18.5.3



(b) answer the SFC's queries

(c) orally or in writing, or in any manner that the SFC deems fit.

19.2 What if a tenderer has any queries?

19.2.1 Any queries regarding this Invitation to Tender should be made to:

Ms. Batty YUE

Manager

Information Technology, Corporate Affairs

Telephone: 2231 1614

Email: oral2ed@tc2.com.hk

Information Technology, Corporate Affairs

Telephone: 2231 1614

31. Prevention of Bribery

- 31.1 A Proposer shall prohibit its directors, employees, agents, and sub-contractors who are involved in this tender from offering, soliciting or accepting any advantage as defined in the Prevention of Bribery Ordinance, Cap 201 when conducting business in connection with this mandate.
- 31.2 The Proposer shall take all necessary measures (including by way of a code of conduct or contractual provisions where appropriate) to ensure that its directors, employees, agents and sub-contractors are aware of the prohibitions in this clause.



Appendix A: The Technical Part

The tenderer is free to include any information that it considers to be relevant to its proposal. However, as a minimum, this part should contain all of the following:



5.2 Other relevant information

- 5.2.1 The tenderer can include any other information that it considers to be relevant to its proposal.





Appendix C: Confidentiality Acknowledgement

Acknowledgement and Undertaking

Acknowledgment in relation to the requirements for preservation of secrecy under section 378 of the Securities and Futures Ordinance (Chapter 571 of the Laws of Hong Kong) (“SFO”) and sections 76A to 76G of the Anti-Money Laundering and Counter-Terrorist Financing Ordinance (Chapter 615 of the Laws of Hong Kong) (“**AMLO**”), and avoidance of conflict of interests under section 379 of the SFO and section 53ZTW of the AMLO (together, the “**Specified Provisions**”).

Terms in this acknowledgement shall have the same meaning as defined in the SFO and/or the AMLO (as the case may be), unless otherwise defined herein.

To: _____

I. Preservation of Secrecy Requirements

Section 378 of the SFO binds you and in particular subsection (1) of that section provides as follows:

(1)

Sections 76A to 76G of the AMLO bind you and in particular sections 76B(1) and (2) provide as follows:

- (1) This section applies to—
 - (a) a matter that comes to a specified person's knowledge in any of the following circumstances—
 - (i) by virtue of the specified person's appointment under the AMLO;
 - (ii) in the course of performing a function under, or carrying into effect, a provision of the AMLO;
 - (iii) in the course of assisting another person in performing a function under, or carrying into effect, a provision of the AMLO; and
 - (b) a record or document that has come into a specified person's possession in any of the circumstances mentioned in paragraph (a).
- (2) A specified person—
 - (a) must not communicate a matter referred to in subsection (1)(a)(i), (ii) or (iii) to a person; and
 - (b) must not allow another person to have access to a record or document referred to in subsection (1)(b).

The term "specified person" is defined in section 76A of the AMLO and includes-

- (a) the Commission;
- (b) a person who is or was a member, an employee, or a consultant, agent or adviser, of the Commission; or
- (c) a person who is or was—
 - (i) a person appointed under a provision of the AMLO;
 - (ii) a person performing a function under, or carrying into effect, a provision of the AMLO; or
 - (iii) a person assisting another person in the performance of a function under, or carrying into effect, a provision of the AMLO.

TAKE NOTICE THAT IF YOU CONTRAVENE SECTION 378(1) OF THE SFO YOU COMMIT AN OFFENCE UNDER SECTION 378(10) OF THE SFO AND IF YOU CONTRAVENE SECTION 76B(2) OF THE AMLO YOU COMMIT AN OFFENCE UNDER SECTION 76B(3) OF THE AMLO. ANY PERSON WHO COMMITS AN OFFENCE UNDER SECTION 378(10) OF THE SFO OR SECTION 76B(3) OF THE AMLO IS LIABLE:

- (a) on conviction on indictment to a fine of HK\$1,000,000 and to imprisonment for two years; or
- (b) on summary conviction to a fine of HK\$100,000 and to imprisonment for six months.

II. Conflict of Interests

Section 379 of the SFO binds you and in particular subsections (1), (2) and (3) of that section provide as follows:

- (1) Subject to subsection (2), any member of the Commission or any person performing any function under any of the relevant provisions shall not directly or indirectly effect or cause to be effected, on his own account or for the benefit of any other person, a transaction regarding any securities, structured product, futures contract, leveraged foreign exchange contract, or an interest in any



Section 53ZTW of the AMLO binds you and in particular subsections (1), (2) and (3) of that section provide as follows:



C) $\frac{1}{2} \ln 2$: R

Mr HENG (b) (6) (b) (7)(C)). Cb

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