

APPENDIX 7 TO CONDITIONS OF TENDER

INSTRUCTIONS TO TENDERER

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APPENDIX 7 TO CONDITIONS OF TENDER

INSTRUCTIONS TO TENDERERS

(Unless the context otherwise requires, terms and references used in this Appendix have the same meaning and construction as defined or construed in the Conditions of Tender for the aforesaid Tender.)

1 Introduction

- 1.1 JTC is inviting offers for the Tenancy and operation of the Premises by Concept-Price Tender on the terms and subject to the conditions contained in the Tender Packet.
- 1.2 JTC aims to transform Market Village into a bustling waterfront lifestyle destination with unique F&B and/or retail options that can cater to the needs of both the public and the corporates in PDD.
- 1.3 Successful Tenderers of Market Village are expected to offer strong F&B and lifestyle concepts, hold exciting events and activities, and leverage on the unique customer profile at PDD to transform the Market Village into a vibrant and welcoming space. To promote greater synergy amongst the concepts for the pavilions, Tenderers may choose to submit Concept and Price tenders for one or more Parcels to suit their business needs and vision for the place.
- 1.4 However, Tenderers shall note that the award of the tender for each Parcel will be assessed based on all Concept and Price submissions received from all Tenderers for that particular Parcel. It shall be the Tenderer's responsibility to ensure that their Concept and Price proposals submitted for each Parcel remain operationally and financially feasible should they not be awarded with all the Parcels they have tendered.

2 Eligibility Criteria

- 2.1 Only interested Tenderers who meet the Eligibility Criteria set out in the **Appendix 5** (*Evaluation Criteria*) may submit their offers.

3 Tender Submission Requirements

- 3.1 All tenders shall be prepared and submitted strictly in accordance with the instructions and requirements set out in the Tender Packet, including (for the avoidance of doubt) all instructions and requirements set out in this Appendix.
- 3.2 JTC reserves the right to vary or modify any terms or condition in, or to issue supplementary terms to the Tender Packet (including (for the avoidance of any doubt) this Appendix) at any time prior to the Tender Closing Date.

4 Completion of Forms of Tender

- 4.1 Each Tenderer shall download, print and complete the **Form of Tender A** (Concept Proposal) attached at **Annex 7A-1** of this Appendix for the corresponding Parcel they are bidding for. The Form of Tender must be -
 - 4.1.1 properly completed with all Parts filled in;

- 4.1.2 signed by the Tenderer's authorised signatory; and
- 4.1.3 placed in **Envelope A** with the prescribed label (at **Annex-7G** of this Appendix) pasted on it, enclosing within the following:
 - a) all documents, particulars and information required and set out in Paragraph 4.3 of this **Appendix 7** (*Instructions to Tenderers*).

4.2 Each Tenderer shall download, print and complete the **Form of Tender B** (Price Proposal) attached at **Annex 7A-2** of this Appendix for the corresponding Parcel they are bidding for. The Form of Tender must be –

- 4.2.1 properly completed with all Parts filled in;
- 4.2.2 signed by the Tenderer's authorised signatory; and
- 4.2.3 placed in **Envelope B** with the prescribed label (at **Annex-7G** of this Appendix) pasted on it, enclosing within the following:
 - b) all documents, particulars and information required and set out in Paragraph 4.4 of this **Appendix 7** (*Instructions to Tenderers*).

4.3 Documents to be Submitted in Envelope A

- 4.3.1 Each Tenderer shall attach its Concept Proposal for the corresponding Parcel to the Form of Tender A attached at **Annex 7A-1**.
- 4.3.2 For more details on the information required in the Concept Proposal, please refer to **Appendix 3** (*Particulars of Tenderer's Concept Proposal*).
- 4.3.3 Tenderers shall also complete and submit **Annexes 7B, 7C, 7D and 7E** prescribed in this **Appendix 7** (*Instructions to Tenderers*).
- 4.3.4 Tenderers shall submit to JTC one hardcopy and one soft copy in a thumb drive the Form of Tender A prescribed at **Annex 7A-1**, the Concept Proposal containing all information and documents prescribed in **Appendix 3** (*Particulars of Tenderer's Concept Proposal*), and **Annexes 7B, 7C, 7D and 7E** prescribed in this **Appendix 7** (*Instructions to Tenderers*).
- 4.3.5 Any Form of Tender A submitted without the Concept Proposal Enclosure referred to in **Appendix 3** (*Particulars of Tenderer's Concept Proposal*) will be disqualified.
- 4.3.6 All costs and expenses incurred by a Tenderer in preparing and submitting its tender shall be borne entirely by the Tenderer.

4.4 Documents to be Submitted in Envelope B

- 4.4.1 Each Tenderer shall attach its Price Proposal for the Corresponding Parcel to the Form of Tender B attached at **Annex 7A-2**.
- 4.4.2 Tenderers may refer to **Appendix 2** (*Particulars of Tenderer's Price Proposal*) for more information.
- 4.4.3 Tenderers shall submit to JTC one hardcopy and one soft copy in a thumb drive the Form of Tender B prescribed at **Annex 7A-2**.
- 4.4.4 Any submissions without the Form of Tender B prescribed at **Annex 7A-2** will be disqualified.
- 4.4.5 Tenderers shall note that each Tenderer shall only submit a Tendered Monthly Total Rent for the 5-Year Initial Tenancy Term for the corresponding Parcel they are bidding for. For the avoidance of doubt –
- (a) the Tendered Monthly Total Rent comprises the Tendered Monthly Base Rent for the Tenancy and a monthly Variable Rent, which is computed as 1.5% of the projected Total Revenue per month for the 5-Year Initial Tenancy Term;
 - (b) the Tendered Monthly Base Rent submitted in the Successful Tenderer's Form of Tender shall be the monthly base rent for the Premises during the 5-Year Initial Tenancy Term;
 - (c) All applicable GST, service charge and other charges are payable by the Successful Tenderer and shall be excluded from the Tendered Monthly Total Rent as part of the Price Proposal.

5 Submission of Tender

- 5.1 The Tenderer shall place the following in **Envelope C** with prescribed Envelope Label (at Annex-7G of this Appendix) pasted on it:
- 5.1.1 Payment advice evidencing payment of the Tender Deposit (in accordance with the Conditions of Tender);
 - 5.1.2 Properly completed **Annex 7F** (*Checklist for Submission of Tender*);
 - 5.1.3 the sealed Envelope A (Concept Proposal) with the completed and signed Form of Tender A (Concept Proposal) and all required information, particulars and documents enclosed within; and
 - 5.1.4 the sealed Envelope B (Price Proposal) with the completed and signed Form of Tender B enclosed within.
- 5.2 For the avoidance of doubt, tenderers who wish to bid for more than Parcel shall note that each Parcel shall have its respective Form of Tender A with Concept Proposal and

Form of Tender B. Both Forms of Tender for each Parcel shall be placed in their respective sealed Envelopes A and B and enclosed in one Envelope C. For example, a tenderer who is bidding for Parcels 1 and 2 shall ensure that he submits two Envelope Cs in total, where one Envelope C is for Parcel 1 and another Envelope C is for Parcel 2.

- 5.3 The Tenderer shall deposit the sealed Envelope(s) C BY HAND by the Tender Closing Date at the venue mentioned below:

JTC Corporation
Tender Box No. 5
Level 1, The JTC Summit
8 Jurong Town Hall Road
Singapore 609434

- 5.4 It will be the responsibility of the Tenderer to ensure delivery into the tender box, which will be in a position accessible to the public. JTC reserves the right to reject all manual submissions not properly submitted into the tender box as allocated.
- 5.5 Tenderers are advised to ensure that their tenders are submitted at least 30 minutes before the official closing time to avoid late tender submission. In this regard, Tenderers are to note that the time for closing of tender shall be based on the official time shown in master and slave clock system in The JTC Summit, which is synchronised with GMT time network by means of GPS satellite system. Tenderers should thus synchronise their time with the aforesaid official time for the purpose of tender submission, as any excuse of late submission due to the difference between the aforesaid official time and the time shown in Tenderer's time equipment or watch will not be entertained. In addition, Tenderers should also make due allowance for possible delays caused by traffic congestion, inability to find parking lots in The JTC Summit, and/or any other factors that may hinder their timely submission of the tender.
- 5.5 All tenders submitted after the Tender Closing Date shall be disqualified and shall not be considered.
- 5.6 In the event of any conflict or inconsistency between anything contained in the hardcopy documents and the electronic PDF copies contained in the thumb drives, the hardcopy documents shall prevail.

6 Enquiries/Clarifications of Tender

- 6.1 All enquiries or clarifications of interested Tenderers pertaining to this Invitation to Tender shall be clearly set out and sent via email at least ten (10) working days before the Tender Closing Date and addressed to:

Name of Officer: Mae Ang
Email Address: Mae_ANG@jtc.gov.sg

- 6.2 All other mode of enquiries (e.g. telephone enquiries etc.) shall not be entertained.

6.3 If appropriate in the sole opinion of JTC, JTC's replies (if any) to such enquiries or clarifications will be posted on JTC's Website. For the avoidance of doubt, JTC may in its sole absolute discretion decline or refuse to reply to any enquiry or clarification without being liable to any interested Tenderer whatsoever.

6.4 JTC bears no responsibility or liability whatsoever to any interested Tenderer for any disruption, delay, inability or failure whatsoever in responding or replying to its enquiry or clarification sought.

7 Alteration, Erasures or Illegibility

7.1 Any amendment by any Tenderer of its tender (or any part of it) after the Tender Closing Date (and for avoidance of doubt, after the Tender Closing Date) is not allowed and shall be deemed to be a withdrawal of such tender unless expressly allowed by JTC in writing.

8 Copies of Tender

8.1 Where this Appendix specifies that tenders are to be submitted using tender box, Tenderers shall submit their tenders and supporting brochures/handbooks in the number of sets as specified in the Invitation to Tender.

9 Language

9.1 The tender and all supporting technical data and all documentation to be supplied by the Tenderer shall be in the English language.

10 Tender Validity Period

10.1 All tenders submitted shall remain valid for acceptance for the Tender Validity Period (and (for the avoidance of doubt) includes such longer period as may be extended by JTC pursuant to the Conditions of Tender).

11 Withdrawal of Tender

11.1 No tenders may be withdrawn after the Tender Closing Date and time prescribed in the Invitation to Tender. Any Tenderer who attempts to do so may, in addition to any remedy which JTC may have against it, be liable to be debarred from future Government tenders.

12 Rejection and Disqualification of Tender

12.1 Please refer to Condition 14 of the Conditions of Tender.

13 Clarification of Tender

- 13.1 In the event JTC seeks clarification upon any aspect of the Tenderer's tender, the Tenderer shall provide full and comprehensive responses within the time stipulated by JTC.
- 13.2 During the evaluation of the Tenderer's tender, the Tenderer may be required, at the discretion of JTC, to be present for a tender interview with JTC.
- 13.3 All expenses incurred in attending to the clarification meetings shall be borne entirely by the Tenderer.

14 Costs in Preparation and Submission of Tender

- 14.1 Each Tenderer shall bear its own costs and expenses incurred in the preparation and submission of its tender.