

投标条款

SP-Q-45000-A02-BCQA

**1 Request for Proposal conditions 投标邀请书的条件**

This Request for Proposal (RFP) is not an offer to contract, but represents a definition of specific requirements and an invitation to qualified companies to submit a response addressing such requirements. Issuance of the RFP, participant's preparation and submission of a response and subsequent receipt and evaluation of participant's response by Bekaert does not commit Bekaert to award a contract to you or any other participant, even if all requirements stated in the RFP are met. 本投标邀请书 (RfP) 并非合同意向书, 仅对某些具体要求作出解释, 并邀请符合条件的公司递交满足要求的答复书。贝卡尔特发布 RfP, 投标人制定并提交投标书, 贝卡尔特随后收到投标书, 并评标, 这并不表示贝卡尔特承诺会与您或其他任何投标人签订合同, 即便您或其他任何投标人满足了 RfP 中的要求。

Participants should submit offers consistent with the objectives illustrated in next section. However, depending on bids received and participant's relative capabilities, Bekaert may at its sole discretion award regions or even countries within regions separately. Participants must state clearly any provisions of their offers that are contingent on a sole source award. We caution all participants not to overstate their current capabilities.

投标人应按照下一节所说明的宗旨, 递交投标书。但是, 贝卡尔特有可能会根据收到的投标书及投标人的相对实力, 自行决定区域或甚至是区域中特定国家的中标人。投标人须明确表述视其为独家中标而定的报价条款。我们在此提醒所有投标人切勿夸大目前的实力。

The successful participant must be able to begin full delivery of services or of products no later than required service start date or product delivery date. If the participants are not capable to commence their proposed service or deliver the proposed products at that date, they must state clearly in their response indicating an alternative. Bekaert also reserves the right to modify these and other RFP requirements and/or to invite additional participants to submit responses and proposals. Only the execution of a written contract will obligate Bekaert in accordance with the terms and conditions contained in such contract. Bekaert is not responsible directly or indirectly for any costs incurred by participants in preparing a response to the RFP or participating in subsequent discussions or meetings with Bekaert regarding this solicitation process.

竞标成功者开始交付服务或交付产品的时间必须早于规定的服务起始日期或产品交付日期。若投标人无法在该规定日期前开始提供拟定的服务或交付拟定的产品, 则必须在答复书中明确指明其备用方案。贝卡尔特也保留修改这些和其他 RfP 要求, 和/或邀请其他投标人递交答复书和投标书的权利。只有签订书面合同后, 贝卡尔特才有义务按照此合同中的条款和条件履行合同。投标人就 RfP 编制答复书 或其后因参与贝卡尔特有关本申请流程的讨论或会议而产生的直接或间接费用, 贝卡尔特概不承担。

Bekaert reserves the right to involve independent external parties in the evaluation process of the proposals. This shall be considered as allowed unless explicitly opposed against in writing by participant. Any confidential statements imposed by the participants shall automatically be extended to the selected external party.

贝卡尔特有权邀请独立的外部评审参与投标书的评估过程。除非投标人书面明确反对，否则将视为允许执行本条。投标人的任何保密声明也将自动透露给选定的外部评审。

Contents, offerings and bids, as supplemented and/or modified by pre-selection presentations may, at Bekaert's sole election, be accepted by Bekaert and become part of the final and binding contract. 在贝卡尔特全权甄选下，贝卡尔特可能会认可预选陈述中所补充和/或修改的内容、出价和投标，并成为最终和具约束力合同的一部分。

Bekaert reserves the right, at any time prior to the signing of any binding agreement in relation to this RFP, without advance notice and in its sole and absolute discretion, to negotiate with one or more potential suppliers, to reject any potential supplier from further consideration without disclosing the reason for such rejection, to change the RFP procedure or to terminate the RFP process.

在签订任何与本 RfP 相关的具有约束力的协议前，贝卡尔特有权在不提前通知的情况下，随时全权决定与一个或多个供应商进行协商、在不透露原因的情况下拒绝进一步考虑任何潜在供应商，及更改或终止 RfP 流程。

## 2 Confidentiality clause 保密条款

The fact that participant received this RFP and any information in this document is confidential and may not be shared with other companies and/or with any other individuals, with the exception of those individuals who need to have access to this RFP in order to prepare participant offer.

投标人收到本 RfP 的事实和本文档中的任何信息均为机密信息，且不能透露与其他公司和/或任何其他个人，但这些个人需要查看 RfP 以便制定投标书的情况除外。

All participants shall consider and treat all information contained in this RFP as strictly confidential, and any other information or documents made available in connection with this RFP. Participants shall protect and maintain such information or documents in strict confidence not use them for any other purposes, and shall not disclose, or allow them to be disclosed, except for the sole purpose of responding to this RFP.

所有投标人都应严格将此 RfP 中包含的所有信息，以及和此 RfP 相关的任何其他可用信息或文档视为机密信息。投标人应以严格的保密性保护并维护此类信息或文档，除回复本 RfP 这一纯粹目的外，禁止将其用于其他目的，且不应公开或允许他人公开。

In the event that disclosure of any information contained in this RFP to employees or authorized agents is necessary for preparing a response to the RFP, such disclosure shall be made only on a need-to-know basis. The participant must make these persons aware of the confidentiality of such information and shall cause such persons to be bound by the terms of this paragraph.

如果就 RfP 而编制回复书时必须要向雇员或授权代理商公开本 RfP 中的信息，则只对需要知情的人员公开。投标人必须要让这些人员明白此类信息的机密性，并让他们受本段条款的约束。

### 3 Contracting clause 签约条款

Accepting the present Tender Terms is mandatory for participating to the tender. However, accepting the present Tender Terms does not imply automatic acceptance of the General Purchasing Terms and Conditions of Bekaert.

要参与投标则必须强制性接受现行的投标条款。但是，接受现行的投标条款并不意味着自动接受贝卡尔特的一般采购条款和条件。

If and when Bekaert, at the end of this RFP process, will award a part or the complete scope of this RFP to participant company, this will be done under the General Purchasing Terms and Conditions of Bekaert as they can be found in On the website of the Bekaert Group.

In the event that the General Purchasing Terms and Condition of Bekaert are not acceptable by participant as a supplier to Bekaert, participant must state this clearly in participant's responses of this RFP indicating the objection. In the absence of making any objection, the General Purchasing Terms and Conditions of Bekaert will also be considered as accepted by participant and shall be applicable to all future deliveries or service performance by participant.

如果贝卡尔特在 RfP 流程结束时针对本 RfP 的部分或全部与参与投标的公司签订合同，则会根据本 RfP 文档附录中的一般采购条款和条件执行。如果投标人作为供应商，不接受贝卡尔特的一般采购条款和条件，则投标人必须在 本 RfP 的回复书中明确表示其不接受。倘若没有表示异议，则视为投标人已经接受贝卡尔特的一般采购条款和条件，并在投标人将来交付产品或履行服务时运用。

A condition to the award shall moreover also be the acceptance of the Bekaert Supplier Code of Conduct by participant.

投标人接受《贝卡尔特供应商行为准则》是中标的前提条件。