

Project Administration Handbook for Civil Engineering Works

2020 Edition

AMENDMENT NO. 1/2022

CHAPTER 4 **PROJECT DESIGN AND ESTIMATES**

PARAGRAPH 1 **GENERAL CONSIDERATIONS FOR
DESIGN**

- (a) Para. 1.6.2 **Replace “1/2020” with “1/2022” in item (a) of the first paragraph.**
- (b) Para. 1.6.4 **Replace “1/2020” with “1/2022” in the first paragraph.**

PARAGRAPH 6 **REFERENCES**

- (c) **Delete the following reference:**
- | | |
|--|--|
| GEO Ground Investigation Note No. 1/2020 | Handling of Land/Marine Ground Investigation, Geophysical Survey and Laboratory Testing Requests |
|--|--|

Add the following reference:

GEO Ground Investigation Note No. 1/2022	Handling of Land/Marine Ground Investigation, Geophysical Survey and Laboratory Testing Requests
--	--

CHAPTER 5 **CONTRACT DOCUMENTS**

PARAGRAPH 6 **SPECIFICATION**

- (d) Para. 6.2 **Replace “Annexes II and IX” with “Annex II” and “6/2015” with “1/2021” in item (xlv).**

Add the following item after item (li):

- (li) For contracts involving the use of structural concrete, both pulverized fly ash (PFA) and ground granulated blastfurnace slag (GGBS) shall

be allowed as supplementary cementitious material for partial replacement of Portland cement in concrete production. In accordance with the requirement as stated in WBTC No. 14/90 and the Standing Committee on Concrete Technology's (SCCT's) memo ref. () in CEDD T 4/1/3/21 dated 5.8.2016, should there be special circumstances where the use of PFA/GGBS is considered undesirable, the project engineer/architect shall seek the approval of the SCCT to include a restricting Particular Specification Clause in the works contracts. The particular specification clause in the works contracts should not specify using PFA only and must also allow the use of GGBS in concrete. The Engineer for the Contract shall consider the use of PFA/GGBS in structural concrete if it is proposed by the Contractor. If the Contractor's proposal is rejected, he/she should inform the Secretary of SCCT of the reasons for the rejection.

PARAGRAPH 9

SPECIAL TOPICS

(e) Para. 9.31

Replace “ **and**” with “**,**” and add “ **and 11.1.2022**” after “**4.12.2020**” under the heading.

Replace “**shall take effect from**” with “**has taken effect since**” in the second paragraph.

Replace “**The NTT and SCC as given in Appendix 5.6 shall be included in tenders for all capital and maintenance works contracts to be invited on or after 1 January 2021 (For NEC ECC or TSC contracts, please refer to the above mentioned memo of 4.12.2020 for the suite of NTT and ACC)**” with “**The NTT, SCC, ACC, as well as the appendices to SCC and ACC as given in Appendices 5.6, 5.6A, 5.6B, 5.6C, 5.6D and 5.6E shall be included in tenders to be invited on or after 1 April 2022 (For tenders to be invited before 1 April 2022, please refer to the above mentioned SDEV's memo of 4.12.2020 for the version of the relevant tender provisions to be adopted)**” in the third paragraph.

PARAGRAPH 12 REFERENCES

(f) **Delete the following reference:**

Environment Bureau Circular Memorandum No. 6/2015 Green Procurement in the Government

Add the following references:

Environment Bureau Circular Memorandum No. 1/2021 Green Procurement in the Government

SCCT'S memo ref. () in CEDD T 4/1/3/21 dated 5.8.2016 Use of Ground Granulated Blastfurnance Slag in Structural Concrete

SDEV's memo ref. () in DEVB(W) 510/94/02 dated 11.1.2022 Addition of "Suspended Ceiling" and "Tower Crane (Erecting, Dismantling, Altering Height)" as Designated Trades under the Registered Specialist Trade Contractors Scheme of the Construction Industry Council

APPENDICES

- (g) Appendix 5.6 **Replace the appendix with that given in Annex A to this Amendment.**
- (h) Appendix 5.6A **Add the appendix given in Annex B to this Amendment.**
- (i) Appendix 5.6B **Add the appendix given in Annex C to this Amendment.**
- (j) Appendix 5.6C **Add the appendix given in Annex D to this Amendment.**
- (k) Appendix 5.6D **Add the appendix given in Annex E to this Amendment.**

- (l) Appendix 5.6E **Add the appendix given in Annex F to this Amendment.**
- (m) Appendix 5.9 **Replace “The Standing Committee on Concrete Technology (SCCT)” with “SCCT” in the fourth paragraph.**

CHAPTER 6

TENDER PROCEDURE

PARAGRAPH 2

GENERAL

- (n) Para 2.2 **Add “, FC No. 3/2021” after “FC No. 3/2009” under the heading.**
- Replace “100” with “200” in items (a) and (b) of the first paragraph.**

PARAGRAPH 6

EXAMINATION OF AND REPORT ON TENDERS

- (o) Para 6.3 **Add “The assessment panel shall be made up of suitably qualified personnel capable of making an independent assessment of the tenderers’ submissions, technical or otherwise” after the first sentence in the first paragraph.**

Delete footnote “4” after “professional rank or above” in the first paragraph.

Add “Members of the project team and members of the assessment panel including the chairman should familiarize themselves with the basic requirements, implications and obligations contained in the WTO GPA and the associated rules which govern the subject tender exercise. Reference should be made to the guidelines given under DEVB TC(W) No. 2/2014.” before the last sentence in the first paragraph.

Add “Members of the assessment panel shall individually mark the tenderers’ submissions in accordance with the marking scheme. The assessment panel meeting should include a separate agenda item to discuss widely differed marks given by individual panel members (marks differing by two grades or more) if any. Such discussion on why marks have been so different and conclusions of the discussion (e.g. whether or not marks have been adjusted following the discussion and the reasons for any

mark adjustment; why diverged views/marks have been considered acceptable) should be properly recorded in the minutes indicating clearly the marking members concerned. For each submission, the average mark given by the panel members after adjustment (if any) shall then be taken as the technical score of that submission.” **before the first sentence in the second paragraph.**

PARAGRAPH 7 ACCEPTANCE OF TENDER

(p) Para 7.1 **Add “(see below)” to the first and second rows of the second column in the table.**

Replace “100” with “200” in the third and fourth rows of the first column in the table.

Delete “any” after “the authority of awarding”, add “as set out in the above table” after “exceeding \$55 million” and delete “all” before “works contracts that are not subject to the WTO GPA” in the first sentence of the second paragraph.

PARAGRAPH 12 REFERENCES

(q) **Add the following reference:**

FC No. 3/2021 Financial Limits for the
Government Logistics
Department Tender Board and the
Public Works Tender Board

APPENDICES

(r) Appendix 6.2 **Replace the appendix with that given in Annex G of this Amendment.**

(s) Appendix 6.3 **Add “- Contact detail of the project officer should be provided if the tender is under purview of PWTB” after “ “Technical Submission” in separate envelopes” under “Secretary, (the relevant Tender Board)” in the c.c list.**

(t) Appendix 6.4 **Replace the appendix with that given in Annex H of this Amendment.**

(u) Appendix 6.4A **Replace the appendix with that given in Annex I of this Amendment.**

(v) Appendix 6.4B **Replace the appendix with that given in Annex J of this Amendment.**

(w) Appendix 6.16

Add the following new item after item 5:

- 6 *Please contact for details of this tender report.
[- Applicable if addressed to PWTB.]

CHAPTER 7

CONTRACT MANAGEMENT

PARAGRAPH 21

MISCELLANEOUS

(x) Para 21.14.3

Replace “and” with “,” and add “and 11.1.2022” after “4.12.2020” under the heading.

Add the following paragraphs after the fifth paragraph:

Addition of “Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” as Designated Trades under the RSTCS of the CIC

“Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” have been included as designated trades under the RSTCS starting from 1 April 2022.

To cater for the above change, the whole set of NTT, SCC, ACC, as well as the appendices to SCC and ACC, have been updated (at Annex A of SDEV’s memos ref. () in DEVB(W) 510/94/02 dated 11.1.2022). This set of updated tender documents shall be adopted for tenders to be invited on or after 1 April 2022.

Same as the earlier arrangement for other designated trades, a grace period of 9 months has been allowed for those larger “Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” subcontractors to be admitted to Group 2. As such, the requirement to engage Group 2 “Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” subcontractors when the tender limit of Group 1 is exceeded shall be adopted for tenders to be invited on or after 1 January 2023 (the “full implementation date”). In other words, no tender limit in respect of the engagement of “Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” subcontractors under RSTCS has been imposed on tenders to be invited prior to the full

implementation date.

PARAGRAPH 22 REFERENCES

(y)

Add the following reference:

SDEV's memo	Addition of "Suspended Ceiling"
ref. () in	and "Tower Crane (Erecting,
DEVB(W)	Dismantling, Altering Height)" as
510/94/02	Designated Trades under the
dated	Registered Specialist Trade
11.1.2022	Contractors Scheme of the
	Construction Industry Council

**Quality Management & Standards Unit
Civil Engineering and Development Department
25 March 2022**

APPENDIX 5.6 NOTES TO TENDERERS AND SPECIAL CONDITIONS OF CONTRACT FOR ENGAGEMENT OF SUBCONTRACTORS REGISTERED FROM THE “REGISTERED SPECIALIST TRADE CONTRACTORS SCHEME” (FOR GENERAL CONDITIONS OF CONTRACT (GCC))
(Subsumed from ETWB TCW No. 13/2004, SDEV’s memo ref. (02KJ8-01-4) in DEVB(W) 510/94/02 dated 22.7.2013, SDEV’s memo ref. () in DEVB(W) 510/94/02 dated 4.12.2020 and 11.1.2022)

The following Notes to Tenderers and Special Condition of Contract shall be included in tenders for all capital and maintenance works contracts:

Notes to Tenderers:

NTT C1 Engagement of Subcontractors who are Registered under the Respective Trades and Groups available in the Registered Specialist Trade Contractors Scheme (RSTCS)

Tenderers’ attention is drawn to the Clause [x][#] of the Special Conditions of Contract requiring the engagement of subcontractors who are registered under the respective trades and groups available in the Registered Specialist Trade Contractors Scheme (RSTCS).

Special Conditions of Contract

SCC[x][#] - Engagement of subcontractors who are registered under the respective trades and groups available in the Registered Specialist Trade Contractors Scheme (RSTCS)

General Conditions of Contract Clause 4 is amended by adding the following:

[(10)]¹ (a) For the purpose of this sub-clause [(10)]¹, the following words and expressions shall have the meaning hereby assigned to them:

“RSTCS²” means the Registered Specialist Trade Contractors Scheme managed by the Construction Industry Council and as referred to in the Rules and Procedures applicable to the aforesaid Registered Specialist Trade Contractors Scheme.

“Group 1” and “Group 2” mean the classification of contractors into Group 1 and Group 2 under each trade of the Register of Specialist Trade Contractors.

[“Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” mean the trade of “suspended ceiling” and “tower crane (erecting, dismantling, altering height)” respectively under the RSTCS as promulgated by the Construction Industry Council from time to time]⁸

(b) Where the Contractor is to [subcontract/sub-let]³ part of the Works execution of which involves trades available in the RSTCS, the Contractor shall

only engage, for the purposes of execution of such part of the Works, a subcontractor who has satisfied all of the following criteria:

- (i) the subcontractor is the subcontractor stated in the Contractor's latest updated submission of the Subcontractor Management Plan;
- (ii) the subcontractor has completed registration under the relevant trade(s) available in the RSTCS before the commencement of the works under the relevant subcontract; and
- (iii) if the subcontractor is registered under a trade [, except Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height),]⁸ in the Register of Specialist Trade Contractors and if the value of relevant subcontract exceeds the tender limit of Group 1, the subcontractor has been admitted into Group 2 before the commencement of the works under the relevant subcontract.

The Contractor shall not engage a subcontractor who is suspended or in the process of an appeal against his suspension from registration in the RSTCS unless the suspension is lifted before the commencement of the works under the relevant subcontracts. The foregoing shall also apply to the Contractor's engagement of [Nominated Subcontractors]⁴, [Specialist Subcontractors]⁵ and [subcontractors for specialist works referred to in Special Conditions of Contract Clause []]^{6,7}.

- (c) The Contractor shall ensure that where any part of the part of the Works subcontracted to :-
 - (i) a subcontractor engaged under sub-clause 10¹(b) of this Clause;
 - [(ii) a Nominated Subcontractor;]⁴
 - [(iii) a Specialist Subcontractor; or]⁵
 - [(iv) a subcontractor for specialist works referred to in Special Condition of Contract Clause []]^{6,7},

execution of which involves trades available in the RSTCS is further subcontracted (irrespective of any tier), only subcontractors (irrespective of any tier) who have satisfied all of the following criteria are engaged for the purposes of execution of such part of the part of the Works:

- (i) the subcontractor is the subcontractor stated in the Contractor's latest updated submission of the Subcontractor Management Plan;
- (ii) the subcontractor has completed registration under the relevant trade(s) available in the RSTCS before the commencement of the works under the relevant further subcontract; and

- (iii) if the subcontractor is registered under a trade[, except Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height)],]8 in the Register of Specialist Trade Contractors and if the value of relevant subcontract exceeds the tender limit of Group 1, the subcontractor has been admitted into Group 2 before the commencement of the works under the relevant further subcontract.

The Contractor shall also ensure that a subcontractor (irrespective of any tier) who is suspended or in the process of an appeal against his suspension from registration in the RSTCS shall not be engaged for the aforesaid further subcontracting (irrespective of any tier) unless the suspension is lifted before the commencement of the works under the relevant further subcontracts.

Internal Notes:

- # Insert appropriate reference.
1. The numbering of this added sub-clause may vary depending on the type of GCCs used and whether there are other SCC in the contract which also amend GCC Clause 4.
 2. Upon the launch of the RSTCS by the CIC on 1 April 2019, seven trades, viz. – (1) Concreting; (2) Concreting Formwork; (3) Curtain Wall; (4) Demolition; (5) Erection of Concrete Precast Component; (6) Reinforcement Bar Fixing; and (7) Scaffolding are included under the Register of Specialist Trade Contractors. One more trade, i.e. (8) Plastering, has been included since 1 January 2021. With effect from 1 April 2022, two new trades, i.e. (9) Suspended Ceiling and (10) Tower Crane (Erecting, Dismantling, Altering Height), will be added to the Register of Specialist Trade Contractors.
 3. Use “subcontract” or “sub-let” as appropriate depending on the type of GCC’s used in individual contract.
 4. Use as appropriate depending on the type of GCC’s used in individual contract.
 5. Use when the standard SCC in WBTC No. 25/94 (entitled “Standard Form of Domestic Subcontract for specialist works”) is used in individual contract.
 6. Insert the number of the SCC in the individual contract which has used the standard SCC for subcontracting in Secretary for Works’ memo WB(W) 209/32/110 (entitled “Library of Special Conditions of Contract Clause 14 - Subcontracting”) dated 23.3.2001.
 7. Use when standard SCC on subcontracting in Secretary for Works’ memo WB(W)209/32/110 (entitled “Library of Special Conditions of Contract Clause 14 - Subcontracting”) dated 23.3.2001 is used in individual contract.
 8. The words in square brackets should be deleted for contracts for which tenders will be invited on or after 1 January 2023, i.e. the tender limits of Group 1 and Group 2 should be observed for all trades including Suspended Ceiling and

Tower Crane (Erecting, Dismantling, Altering Height). (SDEV's memo ref. DEVB(W) 510/94/02 dated 11.1.2022 refers)

APPENDIX 5.6A NOTES TO TENDERERS AND APPENDIX TO SPECIAL CONDITIONS OF CONTRACT FOR SUBCONTRACTOR MANAGEMENT PLAN (FOR GENERAL CONDITIONS OF CONTRACT (GCC))

The following Notes to Tenderers and Appendix to Special Conditions of Contract shall be included in tenders for all capital and maintenance works contracts:

Notes to Tenderers

NTT C2 Payment for Sub-contractor Management Plan

Tenderers' attention is drawn to Clause [GCT 20][#] of General Conditions of Tender, Clause [X][#] of Special Conditions of Contract and Clause [X][#] of the Particular Specification requiring the submission and quarterly updating of the Subcontractor Management Plan (SMP) in the form and contents as prescribed in the Contract. Tenderers' attention is also drawn to the requirement to monitor and ensure the implementation of and the compliance with the SMP.

Tenderers should note that there are no separate items in the [*Bills of Quantities/Schedule of Rates] for measurement of “complete Subcontractor Management Plan” and “quarterly updating of Subcontractor Management Plan” and that, in line with the [*General Preambles/Method of Measurement] to the [*Bills of Quantities/Schedule of Rates], the rates in the [*Bills of Quantities/Schedules of Rates] shall cover, inter alia, the provision of implementation of and compliance with the SMP.

NTT C3 Details of Sub-contractor Management Plan

Tenderers' attention is drawn to the Appendix [X][#] to Clause [X][#] of Special Conditions of Contract on the scope and contents of Subcontractor Management Plan, including but not limited to the details of subcontract(s), the trade and group (if any) of the sub-contractor under the Registered Specialist Trade Contractors Scheme and value of the subcontract(s).

Internal Notes:

[#] Insert appropriate reference

*** Delete or amend as appropriate**

Appendix [X][#] to SCC [X][#]Guidelines on Scope and Contents of Subcontractor Management Plan

The Subcontractor Management Plan shall include (but not limited to) the following:

- i) Scope of works to be subcontracted including the form and extent of subcontracting arrangement such as labour only, labour and plant, labour and material, plant only, lump sum or any other combination of types. Proof of ownership of construction plant and material shall be addressed. The scope of works to be subcontracted shall comply with the relevant contractual provisions (i.e. the SCC for Limiting the Tiers of Subcontracting).
- ii) Particulars of subcontracts (irrespective of tiers) as required under the Template under Table 1.
- iii) The Contractor's approach to demand/ensure his subcontractor(s) to a) abstain from sub-contracting the whole of the works sub-contracted to him/them, and b) report upwards his/their subcontracting arrangement and any subsequent changes with written declarations of no "hidden" subcontracts for any part of the Works sub-contracted to any of them.
- iv) The Contractor's proposed measures for supervision of the works and monitoring of the performance of subcontractors, particularly the aspects of the works programming, quality and safety of the works and environmental protection.
- v) Criteria for selection of subcontractor(s) involving trade(s) not available in the Registered Specialist Trade Contractors Scheme (RSTCS).
- vi) The Contractor's approach to ensure all his subcontractor(s) (irrespective of tiers) to adopt written contracts in his/their subcontracting and that all the sub-contract(s) comply with the requirements as stipulated in the Contract (i.e. SCC for Subcontract conditions).
- vii) Details of the Contractor's Management Team, as required in the Contract (i.e. the SCC for Contractor's Management Team), employed on direct supervision and management of subcontractor(s). An organization chart showing the responsibilities of the Contractor's direct staff in supervision and management of his subcontractor(s) shall be submitted.
- viii) Declaration through the standard declaration form that members of staff on the Contractor's Management Team are prohibited to be given a subcontract to any part of the Works or to have a vested interest in any of the subcontractors irrespective of tiers.
- ix) The Contractor's proposed measures to ensure the compliance with the implementation of the system of payment of wages to the Site Workers as stipulated in the Contract (i.e. SCC for Payment of Wages of Site Workers). The Contractor's proposed measures for ensuring timely payments to subcontractor(s) and payments by subcontractor(s) to subcontractor(s) of lower tiers.

[NB. The above items are not exhaustive. The Contractor can add any other items, which he considers pertinent to the proper management of his subcontractor(s).]

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to SCC [X][#]

[For contracts without contract measures to prevent non-payment of wages and/or limiting number of tiers of subcontracting]

Guidelines on Scope and Contents of Subcontractor Management Plan

The Subcontractor Management Plan shall include (but not limited to) the following:

- i) Scope of works to be subcontracted including the form and extent of subcontracting arrangement such as labour only, labour and plant, labour and material, plant only, lump sum or any other combination of types. Proof of ownership of construction plant and material shall be addressed.
- ii) Particulars of subcontracts (irrespective of tiers) as required under the Template under Table 1.
- iii) Criteria for selection of subcontractor(s) involving trade(s) not available in the Registered Specialist Trade Contractors Scheme (RSTCS).
- iv) Details of the Contractor's own staff employed for direct supervision and management of his subcontractor(s). An organization chart showing the responsibilities of the contractor's direct staff in supervision and management of his subcontractor(s) shall be submitted.
- v) The Contractor's approach to demand/ensure his subcontractor(s) to a) abstain from subcontracting the whole of the works subcontracted to him/them, and b) submit written declarations of no "hidden" subcontracting of works.
- vi) The Contractor's approach to encourage his subcontractor(s) to adopt written contract(s) in his/their subcontracting.
- vii) The Contractor's proposed measures to demand his subcontractor(s) to report upward his/their subcontracting arrangement(s) and any subsequent changes.
- viii) The Contractor's proposed measures for monitoring and assessing the works programme, quality, safety and environmental performance of his subcontractors.
- ix) The Contractor's proposed measures for ensuring timely payment to downstream sub-contractor(s) after his payment to his direct subcontractor(s).
- x) The Contractor's approach for monitoring disputes.
- xi) The Contractor's approach for handling complaints from workers on site regarding wages arrears disputes and co-ordinating with Labour Department for prompt action. Contractors are required to keep the Architect/Engineer/Supervising Officer's site representatives updated of the situation.
- xii) The Contractor's proposed measures for maintaining updated daily attendance records of all workers on site.
- xiii) The Contractor's proposed measures for site security and workers' daily access control if applicable.

[NB. The above items are not exhaustive. The Contractor can add any other issues, which he considers pertinent to the proper management of his subcontractor(s).]

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to SCC [X][#]**Standard Declaration Form by the Contractor
on Compliance with Provisions in
Sub-contractor Management Plan**

To: The [Engineer / Maintenance Engineer / Supervising Officer / Maintenance Surveyor]*

Contract No. : _____

Contract Title : _____

In accordance with the Guidelines on Scope and Contents of Subcontractor Management Plan referred in SCC [X][#], I / we declare and confirm that we have complied with and undertake to continue to comply with the following provisions, and declare and confirm that I / we have ensured and undertake to continue to ensure that our members of staff on the Contractor's Management Team as referred in SCC [Y][#] are aware of the following provisions:

- (a) Members of staff on the Contractor's Management Team are prohibited from being given a subcontract to any part of the Works or having a vested interest in any of the subcontractors irrespective of tiers;
- (b) Members of staff on the Contractor's Management Team are required to submit written declarations to the [Engineer / Maintenance Engineer / Supervising Officer / Maintenance Surveyor]* upon his / her written request from time to time or at any time that they do not have a subcontract to any part of the Works or any vested interest in any of the sub-contractors irrespective of tiers.

(Name of the Contractor) _____

(Name of the Signatory) _____

(Position of the Signatory) _____

(Date) _____

Internal Notes:

[#] Insert appropriate reference

*Delete where inappropriate

Appendix [X][#] to SCC [X][#]Table 1 - Particulars of Sub-contracts ⁽¹⁾

No.	Contract No.	Contract Title	Contract Sum (\$)	Contact Point	Company Name of Sub-contractor	Commencement Date	Program	No. of Tier	Form of Sub-contractor	Type(2) (RSTC or RS)	Trade(3)	Specialty(3) (NA for RSTC)	Registration No.	Expiry Date	Value(4)	Grouping(5) (1, 2 or NA)
e.g.	CV/XXXX/XX	Construction of XXX	100,000,000	Mr. XXX, E/XX	ABC Company Ltd.	1-10-2020	9 months	1	labour, plant & material	RSTC	Concreting Formwork	NA	XXXXXX	31-3-2022	E	1
	CV/XXXX/XX	Construction of XXX	100,000,000	Mr. XXX, E/XX	123 Company Ltd.	1-10-2020	12 months	2	labour & plant	RS	Fire Services Installation	Fire services pipe work	XXXXXX	31-3-2022	D	NA
1																
2																

Notes:

- (1) Apart from the above information, the Contractor shall provide additional information and supporting document upon requested.
- (2) RSTC refers to the Registered Specialist Trade Contractors under the Registered Specialist Trade Contractors Scheme (RSTCS) of the Construction Industry Council (CIC). RS refers to the Registered Subcontractors under the RSTCS.
- (3) One row for one particular trade or specialty. Sub-contract with multiple trades or specialties shall be reported individually in several rows. For details of the classification of trade and specialty, please refer to the website of the RSTCS at www.rstc.cic.hk managed by the CIC. RSTCS covers 10 designated trade groups, viz. (1) Concreting, (2) Concreting Formwork, (3) Curtain Wall, (4) Demolition, (5) Erection of Concrete Precast Component, (6) Reinforcement Bar Fixing, (7) Scaffolding, (8) Plastering, (9) Suspended Ceiling, and (10) Tower Crane (Erecting, Dismantling, Altering Height).
- (4) One value for one particular trade group and specialty. The ranges of Value A to G are shown below:
A: Value < \$1M
B: \$1M ≤ Value < \$3M
C: \$3M ≤ Value < \$6M
D: \$6M ≤ Value < \$15M
E: \$15M ≤ Value < \$30M
F: \$30M ≤ Value < \$50M
G: Value ≥ \$50M
- (5) Group 1 and Group 2 refer to the tender limits set by CIC for the 10 designed trades mentioned in (3) above, which are only applicable to RSTC. For details of the tender limits, please refer to the website of the RSTCS at www.rstc.cic.hk managed by the CIC

Internal Note:

Insert appropriate reference

APPENDIX 5.6B NOTES TO TENDERERS AND ADDITIONAL CONDITIONS OF CONTRACT FOR ENGAGEMENT OF SUBCONTRACTORS REGISTERED FROM THE “REGISTERED SPECIALIST TRADE CONTRACTORS SCHEME” (FOR NEW ENGINEERING CONTRACT (NEC) – ENGINEERING AND CONSTRUCTION CONTRACT (ECC))

The following Notes to Tenderers and Additional Conditions of Contract shall be included in tenders for all capital works contracts:

Notes to Tenderers

NTT C1 Engagement of Subcontractors who are Registered under the Respective Trades and Groups available in the Registered Specialist Trade Contractors Scheme (RSTCS)

Tenderers’ attention is drawn to the Clause [C6][#] of the *additional conditions of contract* requiring the engagement of subcontractors who are registered under the respective trades and groups available in the Registered Specialist Trade Contractors Scheme (RSTCS).

Additional Conditions of Contract

[C6][#] Engagement of Subcontractors who are registered under the respective trades and groups available in the Registered Specialist Trade Contractors Scheme (RSTCS)

(1) For the purpose of this Clause, the following words and expressions shall have the meaning hereby assigned to them:

“RSTCS¹” means the Registered Specialist Trade Contractors Scheme managed by the Construction Industry Council and as referred to in the Rules and Procedures applicable to the aforesaid Registered Specialist Trade Contractors Scheme.

“Group 1” and “Group 2” mean the classification of contractors into Group 1 and Group 2 under each trade of the Register of Specialist Trade Contractors.

[“Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” means the trade of “suspended ceiling” and “tower crane (erecting, dismantling, altering height)” respectively under the RSTCS as promulgated by the Constructions Industry Council from time to time.]⁸

(2) Where the *Contractor* is to subcontract part of the *works*, performance of which involves trades available in the RSTCS, the *Contractor* shall only engage, for the purposes of execution of such part of the *works*, a Subcontractor who has satisfied all of the following criteria:

- (i) the Subcontractor is the subcontractor stated in the *Contractor’s* latest updated submission of the Subcontractor Management Plan;
- (ii) the Subcontractor has completed registration under the relevant trades

available in the RSTCS before the commencement of the work under the relevant subcontracts; and

- (iii) if the Subcontractor is registered under a trade[, except Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height),]³ in the Register of Specialist Trade Contractors and if the value of relevant subcontract exceeds the tender limit of Group 1, the Subcontractor has been admitted into Group 2 before the commencement of the work under the relevant subcontract.

The *Contractor* shall not engage a Subcontractor who is suspended or in the process of an appeal against his suspension from registration in the RSTCS unless the suspension is lifted before the commencement of the work under the relevant subcontracts. The foregoing shall also apply to the *Contractor's* engagement of Specialist Subcontractors in Clause [C3]² of these *additional conditions of contract*.

- (3) The *Contractor* shall ensure that where any part of the part of the *works* subcontracted to a Subcontractor engaged under sub-clause (2) performance of which involves trades available in the RSTCS is further subcontracted (irrespective of any tier), only subcontractors (irrespective of any tier) who have satisfied all of the following criteria are engaged for the purposes of execution of such part of the part of the *works*:
 - (i) the Subcontractor is the subcontractor stated in the *Contractor's* latest updated submission of the Subcontractor Management Plan;
 - (ii) the Subcontractor has completed registration under the relevant trades available in the RSTCS before the commencement of the work under the relevant further subcontracts; and
 - (iii) if the Subcontractor is registered under a trade[, except Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height),]³ in the Register of Specialist Trade Contractors and if the value of relevant subcontract exceeds the tender limit of Group 1, the Subcontractor has been admitted into Group 2 before the commencement of the work under the relevant subcontract

The *Contractor* shall also ensure that a Subcontractor (irrespective of any tier) who is suspended or in the process of an appeal against his suspension from registration in the RSTCS shall not be engaged for the aforesaid further subcontracting (irrespective of any tier) unless the suspension is lifted before the commencement of the work under the relevant further subcontracts.

Internal Notes:

Insert appropriate reference.

- 1. Upon the launch of the RSTCS by the CIC on 1 April 2019, seven trades, viz. (1) Concreting; (2) Concreting Formwork; (3) Curtain Wall; (4) Demolition; (5) Erection of Concrete Precast Component; (6) Reinforcement Bar Fixing; and (7) Scaffolding are included under the Register of Specialist Trade Contractors. One more trade, i.e. (8) Plastering, has been included since 1 January 2021. With effect from 1 April

2022, two new trades, i.e. (9) Suspended Ceiling and (10) Tower Crane (Erecting, Dismantling, Altering Height), will be added to the Register of Specialist Trade Contractors.

- 2. Insert appropriate reference which refers to Clause C3 of Library of Standard Additional Conditions of Contract for NEC ECC regarding “Specialist Subcontractors”.**
- 3. The words in square brackets should be deleted for contracts for which tenders will be invited on or after 1 January 2023, i.e. the tender limits of Group 1 and Group 2 should be observed for all trades including Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height). (SDEV’s memo ref. DEVB(W) 510/94/02 dated 11.1.2022 refers)**

APPENDIX 5.6C NOTES TO TENDERERS AND APPENDIX TO ADDITIONAL CONDITIONS OF CONTRACT FOR SUBCONTRACTOR MANAGEMENT PLAN. (FOR NEW ENGINEERING CONTRACT (NEC) - ENGINEERING AND CONSTRUCTION CONTRACT (ECC))

The following Notes to Tenderers and Appendix to Additional Conditions of Contract shall be included in tenders for all capital works contracts:

Notes to Tenderers

NTT C2 Payment for Subcontractor Management Plan

Tenderers' attention is drawn to Clause [GCT 20][#] of General Conditions of Tender, Clause [C5][#] of *additional conditions of contract* and Clause [X][#] of the Particular Specification requiring the submission and quarterly updating of the Subcontractor Management Plan (SMP) in the form and contents as prescribed in the contract. Tenderers' attention is also drawn to the requirement to monitor and ensure the implementation of and the compliance with the SMP.

Tenderers should note that there are no separate items in the [*bill of quantities / activity schedule*] for "submission of Subcontractor Management Plan" and "quarterly updating of Subcontractor Management Plan". The prices in the [*bill of quantities / activity schedule*] shall cover, inter alia, the provision of implementation of and compliance with the SMP.

NTT C3 Details of Subcontractor Management Plan

Tenderers' attention is drawn to the Appendix [X][#] to Clause [C5][#] of *additional conditions of contract* on the scope and contents of Subcontractor Management Plan, including but not limited to the details of subcontract(s), the trade and group (if any) of the subcontractor under the Registered Specialist Trade Contractors Scheme and value of the subcontract(s).

Internal Notes:

Insert appropriate reference

*** Delete or amend as appropriate**

Appendix [X][#] to ACC [C5][#]Guidelines on Scope and Contents of Subcontractor Management Plan

The Subcontractor Management Plan shall include (but not limited to) the following:

- i) Scope of works to be subcontracted including the form and extent of subcontracting arrangement such as labour only, labour and plant, labour and material, plant only, lump sum or any other combination of types. Proof of ownership of construction plant and material shall be addressed. The scope of works to be subcontracted shall comply with the relevant contractual provisions (i.e. the ACC for Limiting the Tiers of Subcontracting).
- ii) Particulars of subcontracts (irrespective of tiers) as required under the Template under Table 1.
- iii) The *Contractor's* approach to demand/ensure his subcontractor(s) to a) abstain from subcontracting the whole of the works subcontracted to him/them, and b) report upwards his/their subcontracting arrangement and any subsequent changes with written declarations of no "hidden" subcontracts for any part of the *works* subcontracted to any of them.
- iv) The *Contractor's* proposed measures for supervision of the works and monitoring of the performance of subcontractors, particularly the aspects of the works programming, quality and safety of the works and environmental protection.
- v) Criteria for selection of subcontractor(s) involving trade(s) not available in the Registered Specialist Trade Contractors Scheme (RSTCS).
- vi) The *Contractor's* approach to ensure all his subcontractor(s) (irrespective of tiers) to adopt written contracts in his/their subcontracting and that all the subcontract(s) comply with the requirements as stipulated in the Contract (i.e. ACC for Subcontract conditions).
- vii) Details of the *Contractor's* Management Team, as required in the Contract (i.e. the ACC for Contractor's Management Team), employed on direct supervision and management of subcontractor(s). An organization chart showing the responsibilities of the *Contractor's* direct staff in supervision and management of his subcontractor(s) shall be submitted.
- viii) Declaration through the standard declaration form that members of staff on the *Contractor's* Management Team are prohibited to be given a subcontract to any part of the *works* or to have a vested interest in any of the subcontractors irrespective of tiers.
- ix) The *Contractor's* proposed measures to ensure the compliance with the implementation of the system of payment of wages to the Site Workers as stipulated in the Contract (i.e. ACC for Payment of Wages of Site Workers). The *Contractor's* proposed measures for ensuring timely payments to subcontractor(s) and payments by subcontractor(s) to subcontractor(s) of lower tiers.

[NB. The above items are not exhaustive. The Contractor can add any other items, which he considers pertinent to the proper management of his subcontractor(s).]

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to ACC [C5][#]

[For contracts without contract measures to prevent non-payment of wages and/or limiting number of tiers of subcontracting]

Guidelines on Scope and Contents of Subcontractor Management Plan

The Subcontractor Management Plan shall include (but not limited to) the following:

- i) Scope of works to be subcontracted including the form and extent of subcontracting arrangement such as labour only, labour and plant, labour and material, plant only, lump sum or any other combination of types. Proof of ownership of construction plant and material shall be addressed.
- ii) Particulars of subcontracts (irrespective of tiers) as required under the Template under Table 1.
- iii) Criteria for selection of subcontractor(s) involving trade(s) not available in the Registered Specialist Trade Contractors Scheme (RSTCS).
- iv) Details of the *Contractor's* own staff employed for direct supervision and management of his subcontractor(s). An organization chart showing the responsibilities of the contractor's direct staff in supervision and management of his subcontractor(s) shall be submitted.
- v) The *Contractor's* approach to demand/ensure his subcontractor(s) to a) abstain from subcontracting the whole of the works subcontracted to him/them, and b) submit written declarations of no "hidden" subcontracting of works.
- vi) The *Contractor's* approach to encourage his subcontractor(s) to adopt written contract(s) in his/their subcontracting.
- vii) The *Contractor's* proposed measures to demand his subcontractor(s) to report upward his/their subcontracting arrangement(s) and any subsequent changes.
- viii) The *Contractor's* proposed measures for monitoring and assessing the works programme, quality, safety and environmental performance of his subcontractors.
- ix) The *Contractor's* proposed measures for ensuring timely payment to downstream subcontractor(s) after his payment to his direct subcontractor(s).
- x) The *Contractor's* approach for monitoring disputes.
- xi) The *Contractor's* approach for handling complaints from workers on site regarding wages arrears disputes and co-ordinating with Labour Department for prompt action. *Contractors* are required to keep the Architect/Engineer/Supervising Officer's site representatives updated of the situation.
- xii) The *Contractor's* proposed measures for maintaining updated daily attendance records of all workers on site.
- xiii) The *Contractor's* proposed measures for site security and workers' daily access control if applicable.

[NB. The above items are not exhaustive. The Contractor can add any other issues, which he considers pertinent to the proper management of his subcontractor(s).]

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to ACC [C5][#]

**Standard Declaration Form by the *Contractor*
on Compliance with Provisions in
Subcontractor Management Plan**

To: *The Project Manager*

Contract No. : _____

Contract Title : _____

In accordance with the Guidelines on Scope and Contents of Subcontractor Management Plan referred in ACC [C5][#], I / we declare and confirm that we have complied with and undertake to continue to comply with the following provisions, and declare and confirm that I / we have ensured and undertake to continue to ensure that our members of staff on the *Contractor's* Management Team as referred in ACC [D1][#] are aware of the following provisions:

- (a) Members of staff on the *Contractor's* Management Team are prohibited from being given a subcontract to any part of the *works* or having a vested interest in any of the subcontractors irrespective of tiers;
- (b) Members of staff on the *Contractor's* Management Team are required to submit written declarations to the *Project Manager* upon his / her written request from time to time or at any time that they do not have a subcontract to any part of the *works* or any vested interest in any of the subcontractors irrespective of tiers.

(Name of the *Contractor*) _____

(Name of the Signatory) _____

(Position of the Signatory) _____

(Date) _____

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to ACC [C5][#]Table 1 - Particulars of Subcontracts⁽¹⁾

No.	Contract No.	Contract Title	Contract Sum (\$)	Contact Point	Company Name of Subcontractor	Commencement Date	Program	No. of Tier	Form of Subcontractor	Type(2) (RSTC or RS)	Trade(3)	Specialty(3) (NA for RSTC)	Registration No.	Expiry Date	Value(4)	Grouping(5) (1, 2 or NA)
e.g.	CV/XXXX/XX	Construction of XXX	100,000,000	Mr. XXX, E/XX	ABC Company Ltd.	1-10-2020	9 months	1	labour, plant & material	RSTC	Concreting Formwork	NA	XXXXXX	31-3-2022	E	1
	CV/XXXX/XX	Construction of XXX	100,000,000	Mr. XXX, E/XX	123 Company Ltd.	1-10-2020	12 months	2	labour & plant	RS	Fire Services Installation	Fire services pipe work	XXXXXX	31-3-2022	D	NA
1																
2																

Notes:

- (1) Apart from the above information, the *Contractor* shall provide additional information and supporting document upon requested.
- (2) RSTC refers to the Registered Specialist Trade Contractors under the Registered Specialist Trade Contractors Scheme (RSTCS) of the Construction Industry Council (CIC). RS refers to the Registered Subcontractors under the RSTCS.
- (3) One row for one particular trade or specialty. Subcontract with multiple trades or specialties shall be reported individually in several rows. For details of the classification of trade and specialty, please refer to the website of the RSTCS at www.rstc.cic.hk managed by the CIC. RSTCS covers 10 designated trade groups, viz. (1) Concreting, (2) Concreting Formwork, (3) Curtain Wall, (4) Demolition, (5) Erection of Concrete Precast Component, (6) Reinforcement Bar Fixing, (7) Scaffolding, (8) Plastering, (9) Suspended Ceiling, and (10) Tower Crane (Erecting, Dismantling, Altering Height).
- (4) One value for one particular trade group and specialty. The ranges of Value A to G are shown below:
- A: Value < \$1M
 B: \$1M ≤ Value < \$3M
 C: \$3M ≤ Value < \$6M
 D: \$6M ≤ Value < \$15M
 E: \$15M ≤ Value < \$30M
 F: \$30M ≤ Value < \$50M
 G: Value ≥ \$50M
- (5) Group 1 and Group 2 refer to the tender limits set by CIC for the 10 designed trades mentioned in (3) above, which are only applicable to RSTC. For details of the tender limits, please refer to the website of the RSTCS at www.rstc.cic.hk managed by the CIC

Internal Note:

Insert appropriate reference

APPENDIX 5.6D NOTES TO TENDERERS AND ADDITIONAL CONDITIONS OF CONTRACT FOR ENGAGEMENT OF SUBCONTRACTORS REGISTERED FROM THE “REGISTERED SPECIALIST TRADE CONTRACTORS SCHEME” (FOR NEW ENGINEERING CONTRACT (NEC) – TERM SERVICE CONTRACT (TSC))

The following Notes to Tenderers and Additional Conditions of Contract shall be included in tenders for all term service contracts:

Notes to Tenderers

NTT C1 Engagement of Subcontractors who are Registered under the Respective Trades and Groups available in the Registered Specialist Trade Contractors Scheme (RSTCS)

Tenderers’ attention is drawn to the Clause [C6][#] of the *additional conditions of contract* requiring the engagement of subcontractors who are registered under the respective trades and groups available in the Registered Specialist Trade Contractors Scheme (RSTCS).

Additional Conditions of Contract

[C6][#] Engagement of Subcontractors who are registered under the respective trades and groups available in the Registered Specialist Trade Contractors Scheme (RSTCS)

(1) For the purpose of this Clause, the following words and expressions shall have the meaning hereby assigned to them:

“RSTCS¹” means the Registered Specialist Trade Contractors Scheme managed by the Construction Industry Council and as referred to in the Rules and Procedures applicable to the aforesaid Registered Specialist Trade Contractors Scheme.

“Group 1” and “Group 2” mean the classification of contractors into Group 1 and Group 2 under each trade of the Register of Specialist Trade Contractors.

[“Suspended Ceiling” and “Tower Crane (Erecting, Dismantling, Altering Height)” means the trade of “suspended ceiling” and “tower crane (erecting, dismantling, altering height)” respectively under the RSTCS as promulgated by the Constructions Industry Council from time to time.]⁸

(2) Where the *Contractor* is to subcontract part of the *service*, performance of which involves trades available in the RSTCS, the *Contractor* shall only engage, for the purposes of execution of such part of the *service*, a Subcontractor who has satisfied all of the following criteria:

(i) the Subcontractor is the subcontractor stated in the *Contractor’s* latest updated submission of the Subcontractor Management Plan;

- (ii) the Subcontractor has completed registration under the relevant trades available in the RSTCS before the commencement of the work under the relevant subcontracts; and
- (iii) if the Subcontractor is registered under a trade[, except Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height),]³ in the Register of Specialist Trade Contractors and if the value of relevant subcontract exceeds the tender limit of Group 1, the Subcontractor has been admitted into Group 2 before the commencement of the work under the relevant subcontract.

The *Contractor* shall not engage a Subcontractor who is suspended or in the process of an appeal against his suspension from registration in the RSTCS unless the suspension is lifted before the commencement of the work under the relevant subcontracts. The foregoing shall also apply to the *Contractor's* engagement of Specialist Subcontractors in Clause [C3]² of these *additional conditions of contract*.

- (3) The *Contractor* shall ensure that where any part of the *service* subcontracted to a Subcontractor engaged under sub-clause (2) performance of which involves trades available in the RSTCS is further subcontracted (irrespective of any tier), only subcontractors (irrespective of any tier) who have satisfied all of the following criteria are engaged for the purposes of execution of such part of the part of the *service*:
 - (i) the Subcontractor is the subcontractor stated in the *Contractor's* latest updated submission of the Subcontractor Management Plan;
 - (ii) the Subcontractor has completed registration under the relevant trades available in the RSTCS before the commencement of the work under the relevant further subcontracts; and
 - (iii) if the Subcontractor is registered under a trade[, except Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height),]³ in the Register of Specialist Trade Contractors and if the value of relevant subcontract exceeds the tender limit of Group 1, the Subcontractor has been admitted into Group 2 before the commencement of the works under the relevant subcontract

The *Contractor* shall also ensure that a Subcontractor (irrespective of any tier) who is suspended or in the process of an appeal against his suspension from registration in the RSTCS shall not be engaged for the aforesaid further subcontracting (irrespective of any tier) unless the suspension is lifted before the commencement of the work under the relevant further subcontracts.

Internal Notes:

Insert appropriate reference.

1. Upon the launch of the RSTCS by the CIC on 1 April 2019, seven trades, viz. (1) Concreting; (2) Concreting Formwork; (3) Curtain Wall; (4) Demolition; (5) Erection of Concrete Precast Component; (6) Reinforcement Bar Fixing; and (7) Scaffolding are included under the Register of Specialist Trade Contractors. One more trade, i.e.

- (8) Plastering, has been included since 1 January 2021. With effect from 1 April 2022, two new trades, i.e. (9) Suspended Ceiling and (10) Tower Crane (Erecting, Dismantling, Altering Height), will be added to the Register of Specialist Trade Contractors.**
- 2. Insert appropriate reference which refers to Clause C3 of Library of Standard Additional Conditions of Contract for NEC TSC regarding “Specialist Subcontractors”.**
 - 3. The words in square brackets should be deleted for contracts for which tenders will be invited on or after 1 January 2023, i.e. the tender limits of Group 1 and Group 2 should be observed for all trades including Suspended Ceiling and Tower Crane (Erecting, Dismantling, Altering Height). (SDEV’s memo ref. DEVB(W) 510/94/02 dated 11-1-2022 refers)**

APPENDIX 5.6E NOTES TO TENDERERS AND APPENDIX TO ADDITIONAL CONDITIONS OF CONTRACT FOR SUBCONTRACTOR MANAGEMENT PLAN (FOR NEW ENGINEERING CONTRACT (NEC) - TERM SERVICE CONTRACT (TSC))

The following Notes to Tenderers and Appendix to Additional Conditions of Contract shall be included in tenders for all term service contracts:

Notes to Tenderers

NTT C2 Payment for Subcontractor Management Plan

Tenderers' attention is drawn to Clause [GCT 20][#] of General Conditions of Tender, Clause [C5][#] of *additional conditions of contract* and Clause [X][#] of the Particular Specification requiring the submission and quarterly updating of the Subcontractor Management Plan (SMP) in the form and contents as prescribed in the contract. Tenderers' attention is also drawn to the requirement to monitor and ensure the implementation of and the compliance with the SMP.

Tenderers should note that there are no separate items in the Schedule of Rates for "submission of Subcontractor Management Plan" and "quarterly updating of Subcontractor Management Plan". The rates in the Schedules of Rates shall cover, inter alia, the provision of implementation of and compliance with the SMP.

NTT C3 Details of Subcontractor Management Plan

Tenderers' attention is drawn to the Appendix [X][#] to Clause [C5][#] of *additional conditions of contract* on the scope and contents of Subcontractor Management Plan including but not limited to the details of subcontract(s), the trade and group (if any) of the subcontractor under the Registered Specialist Trade Contractors Scheme and value of the subcontract(s).

Internal Notes:

[#] Insert appropriate reference

* Delete or amend as appropriate

Appendix [X][#] to ACC [C5][#]Guidelines on Scope and Contents of Subcontractor Management Plan

The Subcontractor Management Plan shall include (but not limited to) the following:

- i) Scope of works to be subcontracted including the form and extent of subcontracting arrangement such as labour only, labour and plant, labour and material, plant only, lump sum or any other combination of types. Proof of ownership of construction plant and material shall be addressed. The scope of works to be subcontracted shall comply with the relevant contractual provisions (i.e. the ACC for Limiting the Tiers of Subcontracting).
- ii) Particulars of subcontracts (irrespective of tiers) as required under the Template under Table 1.
- iii) The *Contractor's* approach to demand/ensure his subcontractor(s) to a) abstain from subcontracting the whole of the works subcontracted to him/them, and b) report upwards his/their subcontracting arrangement and any subsequent changes with written declarations of no "hidden" subcontracts for any part of the *service* subcontracted to any of them.
- iv) The *Contractor's* proposed measures for supervision of the works and monitoring of the performance of subcontractors, particularly the aspects of the works programming, quality and safety of the works and environmental protection.
- v) Criteria for selection of subcontractor(s) involving trade(s) not available in the Registered Specialist Trade Contractors Scheme (RSTCS).
- vi) The *Contractor's* approach to ensure all his subcontractor(s) (irrespective of tiers) to adopt written contracts in his/their subcontracting and that all the subcontract(s) comply with the requirements as stipulated in the Contract (i.e. ACC for Subcontract conditions).
- vii) Details of the *Contractor's* Management Team, as required in the Contract (i.e. the ACC for *Contractor's* Management Team), employed on direct supervision and management of subcontractor(s). An organization chart showing the responsibilities of the *Contractor's* direct staff in supervision and management of his subcontractor(s) shall be submitted.
- viii) Declaration through the standard declaration form that members of staff on the *Contractor's* Management Team are prohibited to be given a subcontract to any part of the *service* or to have a vested interest in any of the subcontractors irrespective of tiers.
- ix) The *Contractor's* proposed measures to ensure the compliance with the implementation of the system of payment of wages to the Site Workers as stipulated in the Contract (i.e. ACC for Payment of Wages of Site Workers). The *Contractor's* proposed measures for ensuring timely payments to subcontractor(s) and payments by subcontractor(s) to subcontractor(s) of lower tiers.

[NB. The above items are not exhaustive. The Contractor can add any other items, which he considers pertinent to the proper management of his subcontractor(s).]

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to ACC [C5][#]

[For contracts without contract measures to prevent non-payment of wages and/or limiting number of tiers of subcontracting]

Guidelines on Scope and Contents of Subcontractor Management Plan

The Subcontractor Management Plan shall include (but not limited to) the following:

- i) Scope of works to be subcontracted including the form and extent of subcontracting arrangement such as labour only, labour and plant, labour and material, plant only, lump sum or any other combination of types. Proof of ownership of construction plant and material shall be addressed.
- ii) Particulars of subcontracts (irrespective of tiers) as required under the Template under Table 1.
- iii) Criteria for selection of subcontractor(s) involving trade(s) not available in the Registered Specialist Trade Contractors Scheme (RSTCS).
- iv) Details of the *Contractor's* own staff employed for direct supervision and management of his subcontractor(s). An organization chart showing the responsibilities of the contractor's direct staff in supervision and management of his subcontractor(s) shall be submitted.
- v) The *Contractor's* approach to demand/ensure his subcontractor(s) to a) abstain from subcontracting the whole of the works subcontracted to him/them, and b) submit written declarations of no "hidden" subcontracting of works.
- vi) The *Contractor's* approach to encourage his subcontractor(s) to adopt written contract(s) in his/their subcontracting.
- vii) The *Contractor's* proposed measures to demand his subcontractor(s) to report upward his/their subcontracting arrangement(s) and any subsequent changes.
- viii) The *Contractor's* proposed measures for monitoring and assessing the works programme, quality, safety and environmental performance of his subcontractors.
- ix) The *Contractor's* proposed measures for ensuring timely payment to downstream subcontractor(s) after his payment to his direct subcontractor(s).
- x) The *Contractor's* approach for monitoring disputes.
- xi) The *Contractor's* approach for handling complaints from workers on site regarding wages arrears disputes and co-ordinating with Labour Department for prompt action. *Contractors* are required to keep the Architect/Engineer/Supervising Officer's site representatives updated of the situation.
- xii) The *Contractor's* proposed measures for maintaining updated daily attendance records of all workers on site.
- xiii) The *Contractor's* proposed measures for site security and workers' daily access control if applicable.

[NB. The above items are not exhaustive. The Contractor can add any other issues, which he considers pertinent to the proper management of his subcontractor(s).]

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to ACC [C5][#]

**Standard Declaration Form by the *Contractor*
on Compliance with Provisions in
Subcontractor Management Plan**

To: The *Service Manager*

Contract No. : _____

Contract
Title : _____

In accordance with the Guidelines on Scope and Contents of Subcontractor Management Plan referred in ACC [C5][#], I / we declare and confirm that we have complied with and undertake to continue to comply with the following provisions, and declare and confirm that I / we have ensured and undertake to continue to ensure that our members of staff on the *Contractor's* Management Team as referred in ACC [D1][#] are aware of the following provisions:

- (a) Members of staff on the *Contractor's* Management Team are prohibited from being given a subcontract to any part of the *service* or having a vested interest in any of the subcontractors irrespective of tiers;
- (b) Members of staff on the *Contractor's* Management Team are required to submit written declarations to the *Service Manager* upon his / her written request from time to time or at any time that they do not have a subcontract to any part of the *service* or any vested interest in any of the subcontractors irrespective of tiers.

(Name of the *Contractor*) _____

(Name of the Signatory) _____

(Position of the Signatory) _____

(Date) _____

Internal Note:

[#] Insert appropriate reference

Appendix [X][#] to ACC [C5][#]Table 1 - Particulars of Subcontracts⁽¹⁾

No.	Contract No.	Contract Title	Contract Sum (\$)	Contact Point	Company Name of Subcontractor	Commencement Date	Program	No. of Tier	Form of Subcontractor	Type(2) (RSTC or RS)	Trade(3)	Specialty(3) (NA for RSTC)	Registration No.	Expiry Date	Value(4)	Grouping(5) (1, 2 or NA)
e.g.	CV/XXXX/XX	Construction of XXX	100,000,000	Mr. XXX, E/XX	ABC Company Ltd.	1-10-2020	9 months	1	labour, plant & material	RSTC	Concreting Formwork	NA	XXXXXX	31-3-2022	E	1
	CV/XXXX/XX	Construction of XXX	100,000,000	Mr. XXX, E/XX	123 Company Ltd.	1-10-2020	12 months	2	labour & plant	RS	Fire Services Installation	Fire services pipe work	XXXXXX	31-3-2022	D	NA
1																
2																

Notes:

- (1) Apart from the above information, the *Contractor* shall provide additional information and supporting document upon requested.
- (2) RSTC refers to the Registered Specialist Trade Contractors under the Registered Specialist Trade Contractors Scheme (RSTCS) of the Construction Industry Council (CIC). RS refers to the Registered Subcontractors under the RSTCS.
- (3) One row for one particular trade or specialty. Subcontract with multiple trades or specialties shall be reported individually in several rows. For details of the classification of trade and specialty, please refer to the website of the RSTCS at www.rstc.cic.hk managed by the CIC. RSTCS covers 10 designated trade groups, viz. (1) Concreting, (2) Concreting Formwork, (3) Curtain Wall, (4) Demolition, (5) Erection of Concrete Precast Component, (6) Reinforcement Bar Fixing, (7) Scaffolding, (8) Plastering, (9) Suspended Ceiling, and (10) Tower Crane (Erecting, Dismantling, Altering Height).
- (4) One value for one particular trade group and specialty. The ranges of Value A to G are shown below:
- A: Value < \$1M
 B: \$1M ≤ Value < \$3M
 C: \$3M ≤ Value < \$6M
 D: \$6M ≤ Value < \$15M
 E: \$15M ≤ Value < \$30M
 F: \$30M ≤ Value < \$50M
 G: Value ≥ \$50M
- (5) Group 1 and Group 2 refer to the tender limits set by CIC for the 10 designed trades mentioned in (3) above, which are only applicable to RSTC. For details of the tender limits, please refer to the website of the RSTCS at www.rstc.cic.hk managed by the CIC

Internal Note:

Insert appropriate reference

**APPENDIX 6.2 SAMPLE TENDER NOTICE / NOTICE FOR
PREQUALIFICATION FOR PUBLISHING ON THE INTERNET
ON THE DEPARTMENT'S HOME PAGE**

Tender Details

Tender Reference: [tender reference/contract number/PWP Item No.]

Procuring Department: [name of department]

Subject: [the subject of the tender or prequalification exercise]

Description: [a brief description in one or two sentences on the goods or services to be procured, or in respect of works contracts, the scope of project [The description should be the same as given in the Gazette Notice if appropriate], the contract period and the scheduled date for the contract commencement.]

Estimated quantity: [estimated quantity of goods or services to be procured, if applicable, or in respect of works contracts, state “not applicable”]

Contact: [name and/or post title of a contact officer to whom enquiries may be directed, and from whom tender or prequalification documents may be obtained]
[address]
[telephone number]
[fax number]
[e-mail address]

Closing Date/Time: [closing time and date for the submission of tender or prequalification applications]

*The closing time has been extended to [new time and date].

**Submission of
*Tenders/prequalification
Applications:**

*Sealed tenders, in *duplicate/triplicate, must be clearly marked with the tender reference and the subject of the tender on the outside of the envelope (but should not bear any indication which may relate the tender to the tenderer) addressed to the Chairman, [state the name of the relevant tender board] and place in [title and address of the tender box]. Tenders must be deposited in the tender box as specified in this tender notice (“Specified Tender Box”) before the tender closing time. Late tenders and tenders not deposited in the Specified Tender Box will not be accepted.

*Completed prequalification applications shall be

submitted to [state name and address of the office].
Late applications will not be accepted.

If tropical cyclone signal No. 8 or above is hoisted, or a black rainstorm warning signal or “extreme conditions after super typhoons” announced by the Government is/are in force at any time between 9:00 and 12:00 noon on *{the tender closing date}/{the closing date for receipt of prequalification applications}, the closing time will be postponed to 12:00 noon on the first working day after the tropical cyclone signal No. 8 is lowered, or the black rainstorm warning signal or the “extreme conditions after super typhoons” announced by the Government has/have ceased to be in force. In case of blockage of the public access to the location of the Specified Tender Box at any time between 9:00 a.m. and 12:00 noon on Friday, [tender closing date], the Government will announce extension of the tender closing time until further notice. Following removal of the blockage, the Government will announce the extended tender closing time as soon as practicable. The above announcements will be made via press releases on the website of Information Services Department (<http://www.info.gov.hk/gia/general/today.htm>).

Remarks: *a. The tender to be invited is covered by the Agreement on Government Procurement of the World Trade Organization and will not involve electronic auction.

b. ¹{Open tendering is adopted. All interested contractors *{are invited to tender.}/{who also meet the following requirements are invited to tender:- [list out the qualifications or the conditions for participations].}.

^{2&8}{Selective tendering is adopted. *{Confirmed} contractors on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category ³{or joint ventures with participation of local and/or overseas contractors with ⁴{the lead participant or the major shareholder}/⁵{at least one of the participants or shareholders} being a *{confirmed} contractor on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category}, who also meet the ⁶{following} qualifications and ⁶{other} conditions for participation stipulated in the tender documents are invited to tender*{./:}

⁶{List out the required qualifications/experience stipulated in stage I screening}

^{3, 5 & 7} {In case of a joint venture tenderer, the requirement in either paragraph (1) or (2) below has to be satisfied:

(1) the lead participant or major shareholder is a confirmed Group C contractor included in the List of Approved Contractors for Public Works under the [xx] Category; OR

(2) the lead participant or major shareholder is a contractor who is not enlisted in any service category under the List of Approved Contractors for Public Works and the List of Approved Suppliers of Materials and Specialist Contractors for Public Works. In this case,

- a) the total percentage participation of participant(s) or shareholder(s) who is/are confirmed Group C contractor(s) included in the List of Approved Contractors for Public Works under the [xx] Category is at least 40%; and
- b) the percentage participation of the lead participant or major shareholder is no more than 60%.

³{The detailed requirements for joint ventures with participation of local and/or overseas contractors, if applicable, are stipulated in the tender documents.}

⁹{Applicants}/^{8&10}{{Confirmed} contractors on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category ³{or joint ventures with participation of local and/or overseas contractors with ⁴{the lead participant or the major shareholder}/⁵ {at least one of the participants or shareholders} being a *{confirmed} contractor on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category}}, who also meet the following requirements and other qualifications and conditions for participation stipulated in the prequalification documents are invited to apply for prequalification:

[state a list and brief description of the qualification/conditions for participation]

^{3, 5, 7 & 8} {In case of a joint venture applicant, the requirement in either paragraph (1) or (2) below has to be satisfied:

(1) the lead participant or major shareholder is a confirmed Group C contractor included in the List of Approved Contractors for Public Works under the [xx] Category; OR

(2) the lead participant or major shareholder is a contractor who is not enlisted in any service category under the List of Approved Contractors for Public Works and the List of Approved Suppliers of Materials and Specialist Contractors for

Public Works. In this case,

- a) the total percentage participation of participant(s) or shareholder(s) who is/are confirmed Group C contractor(s) included in the List of Approved Contractors for Public Works under the [xx] Category is at least 40%; and
- b) the percentage participation of the lead participant or major shareholder is no more than 60%.

³{The detailed requirements for joint ventures with participation of local and/or overseas contractors, if applicable, are stipulated in the prequalification documents.}}

c¹¹. Contractors not yet on the [title(s) of the approved list(s) and category] may also submit a tender if they submit a request for participation together with a duly completed application for inclusion in the above-mentioned approved list/category by ¹²[state the date of the deadline] to ¹³[address], meet the qualifications and conditions for participation, and the application for inclusion is duly approved on or before the tender closing date. Details for making the application are available at:
http://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html

d¹⁴. Contractors will be liable to have their names removed from the approved list(s) if they fail or refuse to implement an accepted tender.

*e¹ Tenderers must attach to each tender a cheque/cashier order/the original copy of a receipt for the sum of \$..... as a pledge of the bona fides of their tenders, which amount shall be forfeited to the Government of the Hong Kong Special Administrative Region if any tenderer fails or refuses to implement an accepted tender. The amount will be returned to the unsuccessful tenderers without interest.

*f. The *{forms of tenders and further particulars}/{prequalification documents} are obtainable from [state the name, address and telephone/fax number/e-mail address of the office, and other information necessary to contact the office and obtain the documents]. *{A sum of \$....., which will not be refunded, is required to cover the cost of the *tender/prequalification documents.}

*g. A charge will be levied for delivery of *{tender/prequalification} documents where the delivery of *{tender/prequalification} documents is requested by *{a tenderer/an applicant}. A written request must be made.

h¹⁶. Not more than [State the number] applicants will be selected for tender invitations in accordance with the evaluation criteria stipulated in the prequalification documents.

i¹⁴. The Government of the Hong Kong Special Administrative Region does not

bind itself to accept any tender irrespective of whether the tender is the lowest bid or where the assessment of the tenders is based on a marking scheme or formula approach, the tender has the highest overall score.

- j. The Government of the Hong Kong Special Administrative Region reserves the right ¹⁵{to reject any application and} to negotiate with any *{tenderer/applicants} about the terms of the offer.

- k¹⁴. Details of the award of this contract will be published on the Internet at <https://pcms2.gld.gov.hk/>.

-
- 1 For open tendering only, delete if not applicable.
 - 2 For selective tendering only, delete if not applicable.
 - 3 For cases where joint ventures are allowed to tender. Delete if not applicable.
 - 4 For contracts of value **below \$2B**. Delete if not applicable.
 - 5 For contracts of value **equal to or above \$2B**. Delete if not applicable.
 - 6 For contracts incorporate Stage I screening, delete if not applicable
 - 7 This paragraph is drafted with reference to DEVB's memo ref. () in DEVB(W) 510/83/05 dated 26 March 2021. Please refer to the latest standard SCT 5 and amend as appropriate.
 - 8 In case of tenders inviting from the List of Approved Suppliers of Materials and Specialist Contractors for Public Works, please amend to suit.
 - 9 For open invitation for prequalification only, delete if not applicable.
 - 10 For prequalification submissions invited from contractors on the Approved List only, delete if not applicable.
 - 11 For selective tendering under WTO GPA excluding prequalification, delete if not applicable.
 - 12 The deadline shall be set at not less than 25 days from the date of publication of the Gazette Tender Notice. See paragraph 22 of DEVB TCW No. 2/2014.
 - 13 Address of the responsible officer of the procuring department.
 - 14 For Tender Notice other than prequalification only, delete if not applicable.
 - 15 For Notice for Prequalification only, delete if not applicable.
 - 16 For Type 1 Prequalification only, delete if not applicable.

* delete where inappropriate

[] data to be filled in

{ } selective

**SAMPLE TENDER NOTICE / NOTICE FOR PREQUALIFICATION FOR
PUBLISHING ON THE INTERNET ON THE DEPARTMENT'S HOME PAGE
(CHINESE VERSION)**

招標詳情

招標編號： [招標編號／合約編號／工務計劃項目編號]

採購部門： [部門名稱]

項目： [招標項目名稱或投標資格預審項目名稱]

詳情： [簡述所需採購貨品或服務的資料，如屬工程合約，簡述工程的範圍（須與刊載於香港特別行政區政府憲報的敘述相同）、合約期及工程的預計展開日期]

估計數量： [估計所需採購貨品或服務的數量。如屬工程合約，填上「不適用」]

聯絡： [可供投標者查詢及索取投標文件或投標資格預審文件的人員之姓名／職位名稱]

[地址]

[電話號碼]

[傳真號碼]

[電郵地址]

截標日期／時間： [遞交投標書或投標資格預審申請書的截止日期及時間]

*截標時間延至???年??月??日(星期?)?午?時

遞交*投標書/投標資格預審申請書：

*投標者必須在一式*兩／三份封密的投標表格信封面註明招標編號、投標項目(但不得有任何記認，使人認出投標者的身分)及「[相關投標委員會]主席收」。投標者必須把投標書放入[相關投標箱地址]的「[相關投標箱的名稱]」內。投標者必須在截標時間前把投標書放入本招標公告中指定的投標箱(「指定投標箱」)內。逾期遞交或未有放入指定投標箱的投標書，概不受理。

*申請人須把填妥的投標資格預審申請書送交[述明辦公室的名稱和地址]。逾期遞交的申請書概不受理。

若*{截標}/{截止申請}當日上午9時至中午12時期間，八號或以上熱帶氣旋警告信號懸掛，或黑色暴雨警告信號或政府公布的「超強颱風後的極端情況」生效，截止時間會延至八號熱帶氣旋警告信號除下或當時生效的黑色暴雨警告信號或政府公布的「超強颱風後的極端情況」取消後首個工作天中午12時。如在[述明截標日期]星期五上午9時至中午12時期間的任何時間內，前往指定投標箱所在地點的公眾通道受阻，政府會宣布延遲截標時間，直至另行通告。待通道受阻情況獲消除後，政府會盡快公布所延遲的截標時間。以上公布事項會在政府新聞處網頁(<http://www.info.gov.hk/gia/general/ctoday.htm>)以新聞公報形式宣布。

備註： *a. 是次招標受世界貿易組織《政府採購協定》規管，且不涉及電子拍賣。

b. ^{註1}{此招標採用公開招標。現邀請所有有興趣的承*建/造商*{承投這次招標項目}/{並同時符合下列要求[註明所需資格]，承投這次招標項目。}}

^{註2&8}{此招標採用選擇性招標。現邀請名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者}^{註3}{或由本地和/或海外承*建/造商所組成的合營企業(其^{註4}{首席參與者或主要股東}/^{註5}{最少其中一個參與者或股東}必須是名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者})}，並同時符合^{註6}{下列}投標文件列出的資格和^{註6}{其他}條件的承*建/造商^{註3}{或合營企業}承投這次招標項目*{/：}

^{註6}[列出第I階段篩選中訂明的所需資格/經驗]

^{註3, 5&7}{如屬合營企業投標者，投標者需符合以下段落(1)或(2)所列出要求：

(1) 首席參與者或主要股東是名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)；或

(2) 首席參與者或主要股東並非名列認可公共工程承建商名冊和認可公共工程物料供應商及專門承造商名冊上的任何工程類別。就此情況：

甲、 所有名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)的參與者或股東的參與百分比總和不少於40%；和

乙、 首席參與者或主要股東的參與百分比不超過60%。}}

^{註3}{有關由本地和/或海外承建商所組成的合營企業投標者(如適用)的詳細要求，已詳列於招標文件內}。

*{現邀請^{註9}{申請者}/^{註&10}{名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者}^{註3}{或由本地和/或海外承*建/造商所組成的合營企業(其^{註4}{首席參與者或主要股東}/^{註5}{最少其中一個參與者或股東}必須是名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者})}，並同時符合下列要求以及投標資格預審文件列出的其他資格和條件的承*建/造商^{註3}{或合營企業}，申請投標資格預審：

[列出並簡述參與投標的資格/條件]

^{註3, 5, 7 & 8}{如屬合營企業申請者，申請者需符合以下段落(1)或(2)所列出要求：

(1) 首席參與者或主要股東是名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)；或

(2) 首席參與者或主要股東並非名列認可公共工程承建商名冊和認可公共工程物料供應商及專門承造商名冊上的任何工程類別。就此情況：

甲、 所有名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)的參與者或股東的參與百分比總和不少於40%；和

乙、 首席參與者或主要股東的參與百分比不超過60%。}}

^{註3}{有關由本地和/或海外承建商所組成的合營企業申請者(如適用)的詳細要

- 求，已詳列於招標文件內。}}
- c^{註11}. 承建商如非[有關的認可名冊的名稱和類別]內的承*建/造商也可參與投標，惟須在^{註12}[述明截止日期]或之前提出要求，同時把填妥的納入上述認可名冊/類別申請書送交^{註13}[地址]，符合所需資格和條件，以及在截標日期或之前正式獲准加入名冊。有關申請列入名冊詳情，請參閱：
http://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html
- d^{註14}. 投標一經採納，承*建/造商如未能或拒絕履行投標書內的規定，其名稱有可能從認可名冊上刪除。
- *e^{註14}. 為表明投標者確有誠意，投標者必須繳付按金 元，並把相關支票/銀行本票/按金收據正本夾附於每份投標書內。標書一經採納，中標者如未能或拒絕履行投標書內的規定，該筆按金會由香港特別行政區政府沒收。落選者的按金會不附利息悉數發還。
- *f. *{投標表格和進一步資料}/{投標資格預審文件}可向[述明辦事處的名稱、地址和電話/傳真號碼/電郵地址，以及為聯絡辦事處和索取文件所必須的其他資料]索取。*{須繳付*投標文件/投標資格預審文件的費用 元(不會退還，以彌補印製*投標文件/投標資格預審文件的開支)。}
- *g. 有意*{投標者}/{申請者}如要求送遞*{招標}/{投標資格預審}文件，必須以書面提出，並須繳付送遞費用。
- h^{註16}. 當局會根據投標資格預審文件訂明的評核準則，選出不超過[述明數目]名申請者。
- i^{註14}. 香港特別行政區政府不一定採納任何投標書，包括索價最低的投標書。如投標書評估是按照評分計劃或公式計算，香港特別行政區政府亦不一定採納其中整體得分最高的投標書。
- j. 香港特別行政區政府有權^{註10}{拒絕任何申請及}與任何*{投標者}/{申請者}商議批出合約的條款。
- k^{註14}. 批出是項合約的詳情，將在互聯網上公布。請參閱：<https://pcms2.gld.gov.hk/>。

註1 只適用於公開招標，請刪去不適用者。

註2 只適用於選擇性招標，請刪去不適用者。

註3 只適用於已採納第一階段篩選的合約，請刪去不適用者。

註3 適用於容許合營企業參與投標的合約，請刪去不適用者。

註4 只適用於總值低於港幣二十億元的合約，請刪去不適用者。

註5 只適用於總值等於或高於港幣二十億元的合約，請刪去不適用者。

註6 適用於設有第I階段篩選的合約，請刪去不適用者。

註7 此段根據發展局通告(參考編號：DEVB(W) 510/83/05，2021年3月26日)草擬。請參考最新標準合約文件(SCT 5)並作出合適更改。

註8 如根據認可公共工程物料供應商及專門承造商名冊招標，請作出合適更改。

註9 只適用於投標資格預審公開邀請，請刪去不適用者。

註10 只適用於認可名冊上的承建/造商所提交的投標資格預審申請，請刪去不適用者。

註11 只適用於根據WTO GPA 之選擇性招標(不適用於投標資格預審)，請刪去不適用者。

註12 截止日期須訂為刊登相關憲報招標公告的日期起計不少於25天。見發展局的工務技術通告第2/2014號第22段。

註13 採購部門負責人員的地址。

註14 適用於招標公告，請刪去不適用者。

註15 適用於投標者資格預審公告，請刪去不適用者。

註16 適用於第I類的投標者資格預審，請刪去不適用者。

- * 刪去不適用者
- [] 請填寫相關資料
- { } 選擇性

APPENDIX 6.4 SPECIMEN GAZETTE NOTICE FOR REQUALIFICATION OF TENDERERS

G.N.

DEPARTMENT

Contract No
 Contract Title
 Public Works Programme Number

NOTICE OF PREQUALIFICATION OF TENDERERS

It is intended to invite tenders in (month and year) from prequalified tenderers for Contract No. [state the contract number and contract title]. The tenders to be invited will be covered by the Agreement on Government Procurement of the World Trade Organization and will not involve electronic auction. This notice also serves as a summary notice required under the Agreement on Government Procurement of the World Trade Organization.

The scope of works of the contract comprises [give a brief description of the works including the nature and the estimated quantity of the project].

¹{Applicants}/ ^{2&8}{*}{Confirmed} contractors on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category {or joint ventures with participation of local and/or overseas contractors with ⁴{the lead participant or the major shareholder}/⁵{at least one of the participants or shareholders}} being a ^{*}{confirmed} contractor on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category }}, who also meet the following requirements and other qualifications and conditions for participation stipulated in the prequalification documents are invited to apply for prequalification:

(state a list and brief description of the qualifications/conditions for participation)

^{3, 5, 6 & 8} {In case of a joint venture applicant, the requirement in either paragraph (1) or (2) below has to be satisfied:

(1) the lead participant or major shareholder is a confirmed Group C contractor included in the List of Approved Contractors for Public Works under the [xx] Category; OR

(2) the lead participant or major shareholder is a contractor who is not enlisted in any service category under the List of Approved Contractors for Public Works and the List of Approved Suppliers of Materials and Specialist Contractors for Public Works. In this case,

- (a) the total percentage participation of participant(s) or shareholder(s) who is/are confirmed Group C contractor(s) included in the List of Approved Contractors for Public Works under the [xx] Category is at least 40%; and
- (b) the percentage participation of the lead participant or major shareholder is no more than 60%.

³{The detailed requirements for joint ventures with participation of local and/or overseas contractors, if applicable, are stipulated in the prequalification documents.}

The prequalification documents are obtainable from [state the name, address and telephone/fax number/e-mail address of the office, and other information necessary to contact the office and obtain the prequalification documents]. *{A sum of \$....., which will not be refunded, is required to cover the cost of the prequalification documents.}

A charge will be levied for delivery of the prequalification documents where the delivery of prequalification documents is requested by an applicant. A written request must be made.

⁷{Not more than [state the number] applicants will be selected for tender invitations in accordance with the evaluation criteria stipulated in the prequalification documents.}

Completed prequalification applications shall be submitted not later than 12:00 noon on [state the closing date for receipt of prequalification applications] to [state name and address of the office]. Tenders must be deposited in the tender box as specified in this tender notice (“Specified Tender Box”) before the tender closing time. Late tenders and tenders not deposited in the Specified Tender Box will not be accepted. If tropical cyclone signal No. 8 or above is hoisted, or a black rainstorm warning signal or “extreme conditions after super typhoons” announced by the Government is/are in force at any time between 9:00 and 12:00 noon on [closing date for receipt of prequalification applications], the closing time will be postponed to 12:00 noon on the first working day after the tropical cyclone signal No. 8 is lowered, or the black rainstorm warning signal or the “extreme conditions after super typhoons” announced by the Government has/have ceased to be in force. In case of blockage of the public access to the location of the Specified Tender Box at any time between 9:00 a.m. and 12:00 noon on Friday, [tender closing date], the Government will announce extension of the tender closing time until further notice. Following removal of the blockage, the Government will announce the extended tender closing time as soon as practicable. The above announcements will be made via press releases on the website of Information Services Department (<http://www.info.gov.hk/gia/general/today.htm>).

^{3*}{Joint ventures satisfying the requirements stated in the prequalification documents will be considered.}

The Government of the Hong Kong Special Administrative Region reserves the right to reject any application and to negotiate with any applicants about the terms of their offers.

Date

Name of Head of Department

1. For open invitation only, delete if not applicable.
2. For prequalification submissions invited from contractors on the Approved List only, delete if not applicable.
3. For cases where joint ventures are allowed to apply for prequalification. Delete if not applicable.
4. For contracts of value **below \$2B**. Delete if not applicable.
5. For contracts of value **equal to or above \$2B**. Delete if not applicable.
6. This paragraph is drafted with reference to DEVB's memo ref. () in DEVB(W) 510/83/05 dated 26 March 2021. Please refer to the latest standard SCT 5 and amend as appropriate
7. For Type I prequalification, delete if not applicable.
8. For prequalification submissions invited from the List of Approved Suppliers of Materials and Specialist Contractors for Public Works, please amend to suit.

* delete if not applicable

[] data to be filled in

{ } selective

投標者資格預審公告(刊憲樣本)

第_____號公告

部門名稱

合約編號_____

合約名稱_____

工務計劃項目第_____號

投標者資格預審公告

當局擬於_____年__月邀請投標資格經預審的投標者承投合約編號[述明合約編號和合約名稱]。是次招標受世界貿易組織《政府採購協定》規管，且不涉及電子拍賣。此公告亦用作世界貿易組織《政府採購協定》所規定的摘要公告。

合約工程範圍包括[簡述工程內容，包括工程性質和預計工程數量]。

¹{申請者}/^{2&8}{名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者}³*{或由本地和/或海外承*建/造商所組成的合營企業(其⁴{首席參與者或主要股東})/⁵{最少其中一個參與者或股東}必須是名列[認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者})}} 如符合下列要求：

[列出並簡述參與投標的資格/條件]

以及投標資格預審文件列出的其他資格和條件，可申請投標資格預審。

^{3,5,6&8}{如屬合營企業申請者，申請者需符合以下段落(1)或(2)所列出要求：

(1) 首席參與者或主要股東是名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)；或

(2) 首席參與者或主要股東並非名列認可公共工程承建商名冊和認可公共工程物料供應商及專門承造商名冊上的任何工程類別。就此情況：

甲、 所有名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)的參與者或股東的參與百分比總和不少於40%；和

乙、 首席參與者或主要股東的參與百分比不超過60%。}

³{由本地和/或海外承建商所組成的合營企業申請者(如適用)的詳細要求，已詳列於投標資格預審文件內。}

投標資格預審文件可向[述明辦事處的名稱、地址和電話/傳真號碼/電郵地

址，以及為聯絡辦事處和索取投標資格預審文件所必須的其他資料]索取。*{須繳付投標資格預審文件的費用_____元(不會退還，以彌補印製招標文件的開支)。}

申請者如要求送遞投標資格預審文件，必須以書面提出，並須繳付送遞費用。

⁷{當局會根據投標資格預審文件訂明的評核準則，選出不超過[述明數目]名申請者。}

填妥的投標資格預審申請書須於[述明投標資格預審申請的截止日期]中午 12 時前送交[述明辦公室的名稱和地址]。投標者必須在截標時間前把投標書放入本招標公告中指定的投標箱(「指定投標箱」)內。逾期遞交或未有放入指定投標箱的投標書，概不受理。若[投標資格預審申請的截止日期]上午 9 時至中午 12 時期間，八號或以上熱帶氣旋警告信號懸掛，或黑色暴雨警告信號或政府公布的「超強颱風後的極端情況」生效，截止申請時間會延至八號熱帶氣旋警告信號除下或當時生效的黑色暴雨警告信號或政府公布的「超強颱風後的極端情況」取消後首個工作天中午 12 時。如在[述明截標日期]星期五上午 9 時至中午 12 時期間的任何時間內，前往指定投標箱所在地點的公眾通道受阻，政府會宣布延遲截標時間，直至另行通告。待通道受阻情況獲消除後，政府會盡快公布所延遲的截標時間。以上公布事項會在政府新聞處網頁(<http://www.info.gov.hk/gia/general/ctoday.htm>)以新聞公報形式宣布。

³*{合營企業如符合投標資格預審文件內所訂要求，其申請亦會獲得考慮。}

香港特別行政區政府有權拒絕任何申請及與任何申請者商議批出合約的條款。

日期

部門首長姓名

- 1 只適用於公開邀請，請刪去不適用者。
- 2 只適用於認可名冊上的承*建/造商所提交的投標資格預審申請，請刪去不適用者。
- 3 適用於容許合營企業參與投標資格預審申請的合約，請刪去不適用者。
- 4 只適用於總值低於港幣二十億元的合約，請刪去不適用者。
- 5 只適用於總值等於或高於港幣二十億元的合約，請刪去不適用者。
- 6 此段根據發展局通告(參考編號：DEVB(W) 510/83/05，2021年3月26日)草擬。請參考最新標準合約文件(SCT 5)並作出合適更改。
- 7 適用於第 I 類的投標者資格預審，請刪去不適用者。
- 8 如屬根據認可公共工程物料供應商及專門承造商名冊的投標資格預審申請，請作出合適更改。

* 請刪去不適用者

[] 請填寫相關資料

{ } 選擇性

APPENDIX 6.4A SPECIMEN GAZETTE TENDER NOTICES

G.N. [State the name of department]

It is hereby notified that sealed tenders in *duplicate/triplicate are invited for Contract No. (state the contract number, contract title) *{(Public Works Programme Item No. _____)}. The works include [give a brief description of the works including the nature, the estimated quantity of the project and, where applicable, a description of any options]. The works are scheduled to commence in [month/year] *{and will take about [no. of months] months to complete}/ {for completion in [month/year]}.

Tenders must be clearly marked with the tender reference and the subject of the tender on the outside of the envelope (but should not bear any indication which may relate the tender to the tenderer) addressed to the Chairman, [state the name of the tender board to be addressed] and placed in [title and address of the relevant tender box], before 12:00 noon on Friday, [state the tender closing date]. Tenders must be deposited in the tender box as specified in this tender notice (“Specified Tender Box”) before the tender closing time. Late tenders and tenders not deposited in the Specified Tender Box will not be accepted. If tropical cyclone signal No. 8 or above is hoisted, or a black rainstorm warning signal or “extreme conditions after super typhoons” announced by the Government is/are in force at any time between 9:00 a.m. and 12:00 noon on Friday, [tender closing date], the tender closing time will be postponed to 12:00 noon on the first working day after the tropical cyclone signal No. 8 is lowered, or the black rainstorm warning signal or the “extreme conditions after super typhoons” announced by the Government has/have ceased to be in force. In case of blockage of the public access to the location of the Specified Tender Box at any time between 9:00 a.m. and 12:00 noon on Friday, [tender closing date], the Government will announce extension of the tender closing time until further notice. Following removal of the blockage, the Government will announce the extended tender closing time as soon as practicable. The above announcements will be made via press releases on the website of Information Services Department (<http://www.info.gov.hk/gia/general/today.htm>).

Forms of tender and further particulars are obtainable from [state the name, address and telephone/fax number/e-mail address of the office, and other information necessary to contact the office and obtain the tender documents]. *{A sum of \$....., which will not be refunded, is required to cover the cost of the tender documents.}

^{1&7}{Selective tendering is adopted. *{Confirmed} contractors on the List of Approved Contractors for Public Works in Group [xx] under and the [xx] Category ²{ or joint ventures with participation of local and/or overseas contractors with ³{ the lead participant or the major shareholder}/⁴{at least one of the participants or shareholders} being a *{confirmed} contractor on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category,} who also meet the ⁵{following} qualifications and ⁵{other} conditions for participation stipulated in the tender documents are invited to tender *{./:}

⁵[List out the required qualifications/experience stipulated in stage I screening]

^{2, 4 & 6}{ In case of a joint venture tenderer, the requirement in either paragraph (1) or (2) below has to be satisfied:

(1) the lead participant or major shareholder is a confirmed Group C contractor included in the List of Approved Contractors for Public Works under the [xx] Category; OR

(2) the lead participant or major shareholder is a contractor who is not enlisted in any service category under the List of Approved Contractors for Public Works and the List of Approved Suppliers of Materials and Specialist Contractors for Public Works. In this case,

(a) the total percentage participation of participant(s) or shareholder(s) who is/are confirmed Group C contractor(s) included in the List of Approved Contractors for Public Works under the [xx] Category is at least 40%; and

(b) the percentage participation of the lead participant or major stakeholder is no more than 60%.}}

²{The detailed requirements for joint ventures with participation of local and/or overseas contractors, if applicable, are stipulated in the tender documents.}

⁸Contractors not yet on the [title(s) of the approved list(s) and category] may also submit a tender if they submit a request for participation together with a duly completed application for inclusion in the above-mentioned approved list/category by ⁹[state the date of the deadline] to ¹⁰[address], meet the qualifications and conditions for participation, and the application for inclusion is duly approved on or before the tender closing date. Details for making the application are available at:

http://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html}

Contractors will be liable to have their names removed from the approved list(s) if they fail or refuse to implement an accepted tender.

¹¹{Open tendering is adopted. All interested contractors *{are invited to tender.}/who also meet the following requirements are invited to tender:- [list out the qualifications or the conditions for participations].}}

*{Tenderers must attach to each tender a cheque/cashier order/the original copy of a receipt for the sum of \$..... as a pledge of the bona fides of their tenders, which amount shall be forfeited to the Government of the Hong Kong Special Administrative Region if any tenderer fails or refuses to implement an accepted tender. The amount will be returned to the unsuccessful tenderers without interest.}

*{This tender is covered by the Agreement on Government Procurement of the World Trade Organization and will not involve electronic auction. This notice also serves as a summary notice required under the Agreement on Government Procurement of the World Trade Organization.}

*{A charge will be levied for delivery of tender documents where the delivery of tender documents is requested by a tenderer. A written request must be made.}

The Government of the Hong Kong Special Administrative Region does not bind itself to accept any tender irrespective of whether the tender is the lowest bid or where

the assessment of tenders is based on a marking scheme or formula approach, the tender with the highest overall score.

The Government of the Hong Kong Special Administrative Region reserves the right to negotiate with any tenderer about the terms of the offer.

Details of the award of this contract will be published on the Internet at <https://pcms2.gld.gov.hk/>.

Date (State the name and title of Head of Department)

- 1 For selective tendering only, delete if not applicable.
- 2 For cases where joint ventures are allowed to tender, delete if not applicable.
- 3 For contracts of value **below \$2B**. Delete if not applicable.
- 4 For contracts of value **equal to or above \$2B**. Delete if not applicable.
- 5 For contracts incorporate Stage I screening, delete if not applicable.
- 6 This paragraph is drafted with reference to DEVB's memo ref. () in DEVB(W) 510/83/05 dated 26 March 2021. Please refer to the latest standard SCT 5 and amend as appropriate.
- 7 In case of tenders inviting from the List of Approved Suppliers of Materials and Specialist Contractors for Public Works, please amend to suit.
- 8 For selective tendering under WTO GPA, delete if not applicable.
- 9 The deadline shall be set at not less than 25 days from the date of publication of the Gazette Tender Notice. See paragraph 22 of DEVB TCW No. 2/2014
- 10 Address of the responsible officer of the procuring department.
- 11 For open tendering only, delete if not applicable.

* delete / revise where inappropriate.

[] data to be filled in

{ } selective

招標公告(刊憲樣本)

□ _____ □ □ □

[□ □ □ □ □ □]

現招標承投合約編號[述明合約編號，合約名稱]*{(工務計劃項目第 _____ 號)}。工程包括[簡述工程內容，包括工程性質、預計工程數量，以及簡述其他選項(如有)]。工程預計於[_____ 年 _____ 月]展開，*{約需時 _____ 個月完成} / {於 _____ 年 _____ 月完成}。投標者必須填具一式*兩份 / 三份的投標表格，並把填妥的投標表格放置信封內封密。

投標者須在信封面清楚註明招標編號、投標項目(但不得有任何記認，使人認出投標者的身分)及「[相關投標委員會的名稱]主席收」，並須於[述明截標日期]星期五中午12時前，把投標書放入[相關投標箱的名稱和地址]內。投標者必須在截標時間前把投標書放入本招標公告中指定的投標箱(「指定投標箱」)內。逾期遞交或未有放入指定投標箱的投標書，概不受理。若[截標日期]星期五上午9時至中午12時期間，八號或以上熱帶氣旋警告信號懸掛，或黑色暴雨警告信號或政府公布的「超強颱風後的極端情況」生效，截標時間會延至八號熱帶氣旋警告信號除下或當時生效的黑色暴雨警告信號或政府公布的「超強颱風後的極端情況」取消後首個工作天中午12時。如在[述明截標日期]星期五上午9時至中午12時期間的任何時間內，前往指定投標箱所在地點的公眾通道受阻，政府會宣布延遲截標時間，直至另行通告。待通道受阻情況獲消除後，政府會盡快公布所延遲的截標時間。以上公布事項會在政府新聞處網頁(<http://www.info.gov.hk/gia/general/ctoday.htm>)以新聞公報形式宣布。

投標表格和進一步資料可向[述明辦事處的名稱、地址和電話 / 傳真號碼 / 電郵地址，以及為聯絡辦事處和索取投標文件所必須的其他資料]索取。*{須繳付投標文件的費用 _____ 元(不會退還，以彌補印製招標文件的開支。)}

^{1&7}{ 此招標採用選擇性招標。現邀請名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者} ²{或由本地和 / 或海外承*建/造商所組成的合營企業(其³{首席參與者或主要股東} / ⁴{最少其中一個參與者或股東} 必須是名列認可公共工程承建商名冊內獲准承投[工程類別]的[組別]承*建/造商*{經確認者})}，並同時符合⁵{下列}投標文件列出的資格和 ⁵{其他}條件的承*建/造商 ³{或合營企業}承投這次招標項目*{。 / : }

⁵ [列出第I階段篩選中訂明的所需資格 / 經驗]

^{2,4&6} {如屬合營企業投標者，投標者需符合以下段落(1)或(2)所列出要求：

(1)首席參與者或主要股東是名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商 (經確認者)；或

(2)首席參與者或主要股東並非名列認可公共工程承建商名冊和認可公共工程物料供應商及專門承造商名冊上的任何工程類別。就此情況：

甲、所有名列認可公共工程承建商名冊內獲准承投[工程類別]的丙組承*建/造商(經確認者)的參與者或股東的參與百分比總和不少於40%；和

乙、首席參與者或主要股東的參與百分比不超過60%。}}

²{有關由本地和 / 或海外承建商所組成的合營企業投標者(如適用)的詳細要求，已詳列於招標文件內}

⁸承建商如非在[有關的認可名冊的名稱和類別]內的承*建/造商也可參與投標，惟

須在⁹ [述明截止日期]或之前提出要求，同時把填妥的納入上述認可名冊／類別申請書送交¹⁰ [地址]，符合所需資格和條件，以及在截標日期或之前正式獲准加入名冊。有關申請列入名冊詳情，請參閱：

http://www.devb.gov.hk/tc/construction_sector_matters/contractors/index.html}

投標一經採納，承*建/造商如未能或拒絕履行投標書內的規定，其名稱有可能從認可名冊上刪除。

¹¹ {是次招標採用公開招標。現邀請所有有興趣的承*建/造商*{承投這次招標項目}]{並同時符合下列要求[註明所需資格]，承投這次招標項目。}}

*{為表明投標者確有誠意，投標者必須繳付按金 元，並把相關支票／銀行本票／按金收據正本夾附於每份投標書內。標書一經採納，中標者如未能或拒絕履行投標書內的規定，該筆按金會由香港特別行政區政府沒收。落選者的按金會不附利息悉數發還。}

*是次招標受世界貿易組織《政府採購協定》規管，且不涉及電子拍賣。此公告亦用作世界貿易組織《政府採購協定》所規定的摘要公告。

*有意投標者如要求送遞招標文件，必須以書面提出，並須繳付送遞費用。

香港特別行政區政府不一定採納任何投標書，包括索價最低的投標書。如投標書評估是按照評分計劃或公式計算，香港特別行政區政府亦不一定採納其中整體得分最高的投標書。

香港特別行政區政府有權與任何投標者商議批出合約的條款。

批出是項合約的詳情，將在互聯網上公布。請參閱：<https://pcms2.gld.gov.hk/>

□ □

[□ □ □ □ □ □ □ □ □ □ □ □]

- 1 只適用於選擇性招標，請刪去不適用者。
 - 2 適用於容許合營企業參與投標的合約，請刪去不適用者。
 - 3 只適用於總值低於**港幣二十億元**的合約，請刪去不適用者。
 - 4 只適用於總值等於或高於**港幣二十億元**的合約，請刪去不適用者。
 - 5 適用於設有第I階段篩選的合約，請刪去不適用者。
 - 6 此段根據發展局通告(參考編號：DEVB(W) 510/83/05，2021年3月26日)草擬。請參考最新標準合約文件(SCT 5)並作出合適更改。
 - 7 如根據認可公共工程物料供應商及專門承造商名冊招標，請作出合適更改。
 - 8 只適用於根據世界貿易組織《政府採購協定》之選擇性招標，請刪去不適用者。
 - 9 截止日期須訂為刊登相關憲報招標公告的日期起計不少於25天。見發展局的工務技術通告第2/2014號第22段。
 - 10 採購部門負責人員的地址。
 - 11 只適用於公開招標，請刪去不適用者。
- * 刪去/更改不適用者

[] 請填寫相關資料

{ } 選擇性

CONTENT PAGE FOR GAZETTE NOTICE FOR INVITATION TO TENDER

GAZETTE NO. / (YEAR)

CONTENTS

Government Notice No.	Subject	Page
	TENDERS	
	XX Department	
	(Title of Contract)	

N.B.: “Gazette No.”, “Government Notice No.” and “Page” should be left blank. The details will be inserted by the D of GL.

**CONTENTS PAGE FOR GAZETTE NOTICE FOR INVITATION TO TENDER
(CHINESE VERSION)**

???? □ □ ?? □ □ □

□ □

□ □ □ □

□ □

□ □ □ □

□ □

□ □

XX□

(□ □ □ □)

APPENDIX 6.4B SPECIMEN TENDER INVITATION LETTER FOR SELECTIVE TENDERING

(Contractor)

(Address)

Dear Sirs,

Contract No:

Title :.....

*(Public Works Programme Item No.)

⁶{*{Confirmed} contractors on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category ¹{or joint ventures with participation of local and/or overseas contractors with ²{the lead participant or the major shareholder}/³{at least one of the participants or shareholders} being a *{confirmed} contractor on the List of Approved Contractors for Public Works in Group [xx] under the [xx] Category}, who also meet the ⁴{following} qualifications and ⁴{other} conditions for participation stipulated in the tender documents are invited to submit a sealed tender in *duplicate/triplicate for the above contract*{./:}

⁴{List out the required qualifications/experience stipulated in stage I screening}

^{1, 3 & 5} {In case of a joint venture tenderer, the requirement in either paragraph (1) or (2) below has to be satisfied:

(1) the lead participant or major shareholder is a confirmed Group C contractor included in the List of Approved Contractors for Public Works under the [xx] Category; OR

(2) the lead participant or major shareholder is a contractor who is not enlisted in any service category under the List of Approved Contractors for Public Works and the List of Approved Suppliers of Materials and Specialist Contractors for Public Works. In this case,

- a) the total percentage participation of participant(s) or shareholder(s) who is/are confirmed Group C contractor(s) included in the List of Approved Contractors for Public Works under the [xx] Category is at least 40%; and
- b) the percentage participation of the lead participant or major shareholder is no more than 60%.}}

¹{The detailed requirements for joint ventures with participation of local and/or overseas contractors, if applicable, are stipulated in the tender documents.}

If you are currently under suspension or voluntary suspension from tendering, your attention is drawn to General Conditions of Tender Clause GCT 22.

The works include [give a brief description of the works including the nature, the estimated quantity of the project and, where applicable, a description of any options]. The works are scheduled to commence in [month/year] *{and will take about [no. of months] months to complete}/{for completion in [month/year]}.

⁷ {Tender notice for the next term contract for [state the period of the next term contract] will be published around [state the estimate date in month/year].}

Tenders must be clearly marked with the tender reference and the subject of the tender on the outside of the envelope (but should not bear any indication which may relate the tender to the tenderer) addressed to the Chairman, [state the name of the tender board to be addressed] and placed in [title and address of the relevant tender box] before 12:00 noon on Friday, [state the tender closing date]. Tenders must be deposited in the tender box as specified in this tender notice (“Specified Tender Box”) before the tender closing time. Late tenders and tenders not deposited in the Specified Tender Box not be accepted. If tropical cyclone signal No. 8 or above is hoisted, or a black rainstorm warning signal or “extreme conditions after super typhoons” announced by the Government is/are in force at any time between 9:00 a.m. and 12:00 noon on Friday, [tender closing date], the tender closing time will be postponed to 12:00 noon on the first working day after the tropical cyclone signal No. 8 is lowered, or the black rainstorm warning signal or the “extreme conditions after super typhoons” announced by the Government has/have ceased to be in force. In case of blockage of the public access to the location of the Specified Tender Box at any time between 9:00 a.m. and 12:00 noon on Friday, [tender closing date], the Government will announce extension of the tender closing time until further notice. Following removal of the blockage, the Government will announce the extended tender closing time as soon as practicable. The above announcements will be made via press releases on the website of Information Services Department (<http://www.info.gov.hk/gia/general/today.htm>).

Forms of tender and further particulars are obtainable from [state the name, address and telephone/fax number/e-mail address of the office, and other information necessary to contact the office and obtain the tender documents]. *{A sum of \$....., which will not be refunded, is required to cover the cost of the tender documents.}

Contractors/suppliers will be liable to have their names removed from the approved list(s) if they fail or refuse to implement an accepted tender.

*{Tenderers must attach to each tender a cheque/cashier order/the original copy of a receipt for the sum of \$..... as a pledge of the bona fides of their tenders, which amount shall be forfeited to the Government of the Hong Kong Special Administrative Region if any tenderer fails or refuses to implement an accepted tender. The amount will be returned to the unsuccessful tenderers without interest.}

*This tender is covered by the Agreement on Government Procurement of the World Trade Organization and will not involve electronic auction.

*A charge will be levied for delivery of tender documents where the delivery of tender documents is requested by a tenderer. A written request must be made.

The Government of the Hong Kong Special Administrative Region does not bind itself to accept any tender irrespective of whether the tender is the lowest bid or where the assessment of tenders is based on a marking scheme or formula approach, the tender with the highest overall score.

The Government of the Hong Kong Special Administrative Region reserves the right to negotiate with any tenderer about the terms of the offer.

Details of the award of this contract will be published on the Internet at <https://pcms2.gld.gov.hk/>.

Yours faithfully

(Designation of officer who would sign
the Contract on behalf of Government)

- 1 For cases where joint ventures are allowed to tender. Delete if not applicable.
- 2 For contracts of value **below \$2B**. Delete if not applicable.
- 3 For contracts of value **equal to or above \$2B**. Delete if not applicable.
- 4 For contracts incorporating Stage I screening. Delete if not applicable.
- 5 This paragraph is drafted with reference to DEVB's memo ref. () in DEVB(W) 510/83/05 dated 26 March 2021. Please refer to the latest standard SCT 5 and amend as appropriate.
- 6 In case of tenders inviting from the List of Approved Suppliers of Materials and Specialist Contractors for Public Works, please amend to suit.
- 7 For term contracts only, delete if not applicable.

* delete / revise where inappropriate

[] data to be filled in

{ } selective