

experience” requirements. In case of special circumstances, the procuring department may, subject to endorsement by an officer at D2 rank or above, specify the “qualification and experience” requirements above the minimum ones under “VG” and “G” grades in order to suit the specific need of individual projects. The relevant provisions with amendments are given in **Annex A**.

Change of Core Personnel in Project Teams of Consultants

4. Currently, if the consultants make a proposal to change a member of the core personnel in the course of running a consultancy agreement, the proposed replacement shall have equivalent or better qualifications, experience and competence as compared with the member of the core personnel to be replaced. To align with the spirit of the enhanced full mark approach, we would like to revise the current arrangement so that the proposed replacement will only need to meet the minimum qualification and experience requirements and have sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the consultants. The relevant provisions with amendments are given in **Annex B**.

Implementation

5. The secretaries of AACSB and EACSB are requested to update the AACSB and EACSB Handbooks accordingly.

6. The above amendments shall be adopted in all AACSB and EACSB consultancy agreements with EOI submissions or T&F Proposals (for one-stage procurement process) to be invited on or after **25 March 2024**.

7. Please bring this memo to the attention of project officers who are responsible for administration and management of consultancy agreements.

8. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(David H W LEUNG)
for Secretary for Development

Encl.

Distribution (w/encl.)

DArchS (Attn.: Mr Alan Sin)
DCED (Attn.: Mr Harry Ma)
D of DS (Attn.: Mr Peter Chui)
DEMS (Attn.: Mr Richard Chan)
D of Hy (Attn.: Mr Richard Ng)
DWS (Attn.: Mr Alfred Wong)

c.c. (w/encl.)

DAFC (Attn.: Mr Victor Loong)
DB (Attn.: Ms Cimberly Tsui)
DEP (Attn.: Mr W W Cheung)
DHA (Attn.: Mr Thomas Chan)
D of Lands (Attn.: Ms Loretta Cheung)
D of Plan (Attn.: Ms Cheryl Yeung)
DSW (Attn.: Ms Rio Kwok)
C for T (Attn.: Mr Marco Tai)
D of H (Attn.: Mr S W Lee)
SED (Attn.: Mr Louis Wong)
SCST (Attn.: Mr Ray Lau)
STL (Attn.: Mr K F Yip)
H/EKEO (Attn.: Mr W H Cheng)
LA(W) (Attn.: Ms Candy Wong)
Secretary, AACSB
Secretary, EACSB

Internal

CAS(W)7, TL(WPR), AS(WPR)2, AS(WP4)5, AS(WP4)6

AACSB Handbook

Annex VII to Appendix 3.1 – Assessment Criteria for Expression of Interest Proposal

(Same updates shall be adopted in Section 3.4.1(a), Annex E of Appendix 5.1, Appendix 6 and Annexes 3 and 4 to Appendix 34)

Item (4)

For Item 4 above, for attaining “F” grade or above, a consultant shall provide the minimum number of core personnel who should possess the corresponding minimum qualification and experience as set out in Table 1 and Table 2 below. Same marks shall be allocated to the core personnel under the same designation.

If the number of core personnel proposed by the consultant for a particular designation is more than that specified in the invitation documents, the average marks per person attained by the core personnel for that particular designation would be adopted in tender assessment. If the number of core personnel proposed by the consultant for a particular designation is less than that specified in the invitation documents, the core personnel proposed will be marked based on the relevant selection criteria while the core personnel missing in the submission will be graded “P”.

Table 1: Requirements on Number, Qualification, Experience and Relevant Job Reference

[Guidance Note: Under normal circumstances, the following table(s) for core personnel shall be adopted.]

Core Personnel Designation	Relevant Job Reference	Grade
[Project Director] (Mark: XX%)	Not less than [5] projects	VG
Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [P/D] category set out in Table 2 below	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

Core Personnel Designation	Relevant Job Reference	Grade
[Project Manager] (Mark: YY%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [P/D] category set out in Table 2 below	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

Core Personnel Designation	Relevant Job Reference	Grade
[Team Leader (A)] (Mark: ZZ%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below (professional route)	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

Core Personnel Designation	Relevant Job Reference	Grade
[Team Leader (B)] (Mark: ZZ%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below (professional route or academic route)	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

[^] Any person employed or engaged by the consultant or a proposed sub-consultant may be nominated as core personnel.

[Guidance Note:

- (i) The sum of marks allocated to all core personnel shall be 100.
- (ii) To add additional tables if required.
- (iii) To elaborate “Relevant Job Reference” in view of the specific nature of the project where appropriate.
- (iv) To review whether post qualification experience (academic) for core personnel is

relevant. In particular, where there are professional institutions in the relevant discipline, it is less likely that post qualification experience (academic) may be relevant.]

[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]

[Guidance Note: Under special circumstances, the procuring department may, subject to the endorsement by the AD/PD or an officer at D2 rank or above, specify the requirements of post qualification experience above the minimum requirements for core personnel as set out in Table 2 below under “VG” and/or “G” grades in order to suit specific need of individual projects. The procuring department shall critically review to ensure that there is no over-specification on such requirements under “VG” and “G” grades. Tables A, B, C and D are provided below as examples.]

Table A

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Project Director] (Mark: XX%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [P/D] category set out in Table 2 below	Not less than [20] years	Not less than [5] projects	VG
	Not less than [18] years	Not less than [3] projects	G
	Not less than [15] years	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

Table B

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Project Manager] (Mark: YY%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [P/D] category set out in Table 2 below	Not less than [20] years	Not less than [5] projects	VG
	Not less than [18] years	Not less than [3] projects	G
	Not less than [15] years	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

Table C

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Team Leader (A)] (Mark: ZZ%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below	Not less than [18] years (professional)	Not less than [5] projects	VG
	Not less than [15] years (professional)	Not less than [3] projects	G
	Not less than [12] years (professional)	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

Table D

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Team Leader (B)] (Mark: ZZ%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below	Not less than [18] years (professional); or Not less than [23] years (academic)	Not less than [5] projects	VG
	Not less than [15] years (professional); or Not less than [20] years (academic)	Not less than [3] projects	G
	Not less than [12] years (professional); or Not less than [17] years (academic)	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

[^] Any person employed or engaged by the consultant or a proposed sub-consultant may be nominated as core personnel.

[Guidance Note:

- (i) *The sum of marks allocated to all core personnel shall be 100.*
- (ii) *To add additional tables if required.*
- (iii) *To elaborate “Relevant Job Reference” in view of the specific nature of the project where appropriate.*
- (iv) *To review whether post qualification experience (academic) for core personnel is relevant. In particular, where there are professional institutions in the relevant discipline, it is less likely that post qualification experience (academic) may be relevant.]*

[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]

The minimum requirements on qualification and experience of individual categories of staff are shown in Table 2 below. Only the qualification and experience obtained by the proposed staff on or before the closing date of submission of Expression of Interest (or if it has been extended, the extended date) for this tender shall be counted.

Table 2: Minimum Requirements on Qualification and Experience

Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
Partners/ Directors (P/D)	Professional Route	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-professional qualification experience
Chief Professional (CP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-professional qualification experience
	Academic Route	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post-academic qualification experience

[Guidance Note: Include other categories of staff if required.]

EACSB Handbook (Revision 16)**Appendix 3.1A – Sample Template for Shortlisting Criteria***(Same updates shall be adopted in Appendix 3.4B)**(The latest updates in Appendix 3.3 of the Guidelines (Rev. 3) have been incorporated and highlighted in grey.)***Note (5)**

For attaining “F” grade or above, a consultant shall provide the minimum number of core personnel who should possess the corresponding minimum qualification and experience as set out in Table 1 and Table 2 below. Same marks shall be allocated to the core personnel under the same designation.

If the number of core personnel proposed by the consultant for a particular designation is more than that specified in the invitation documents, the average marks per person attained by the core personnel for that particular designation would be adopted in tender assessment. If the number of core personnel proposed by the consultant for a particular designation is less than that specified in the invitation documents, the core personnel proposed will be marked based on the relevant selection criteria while the core personnel missing in the submission will be graded “P”.

Table 1: Requirements on Number, Qualification, Experience and Relevant Job Reference

(Guidance Note: Under normal circumstances, the following table(s) for core personnel shall be adopted.)

Core Personnel Designation	Relevant Job Reference	Grade
[Project Director] (Mark: XX%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [P/D] category set out in Table 2 below	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

Core Personnel Designation	Relevant Job Reference	Grade
[Project Manager] (Mark: YY%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below (professional route or academic route)	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

Core Personnel Designation	Relevant Job Reference	Grade
[Team Leader (A)] (Mark: ZZ%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below (professional route)	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

Core Personnel Designation	Relevant Job Reference	Grade
[Team Leader (B)] (Mark: ZZ%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below (professional route or academic route)	Not less than [5] projects	VG
	Not less than [3] projects	G
	Not less than [1] projects	F
Fail to provide the minimum number of core personnel or meet the standard stated above		P

^ Any person employed or engaged by the consultant or a proposed sub-consultant may be nominated as core personnel.

(Guidance Note:

- (i) The sum of marks allocated to all core personnel shall be 100.
- (ii) To add additional tables if required.
- (iii) To elaborate “Relevant Job Reference” in view of the specific nature of the project where appropriate.
- (iv) To review whether post qualification experience (academic) for core personnel is

relevant. In particular, where there are professional institutions in the relevant discipline, it is less likely that post qualification experience (academic) may be relevant.)

(Guidance Note: Under special circumstances, the procuring department may, subject to the endorsement by an officer at D2 rank or above, specify the requirements of post qualification experience above the minimum requirements for core personnel as set out in Table 2 below under “VG” and/or “G” grades in order to suit specific need of individual projects. The procuring department shall critically review to ensure that there is no over-specification on such requirements under “VG” and “G” grades. Tables A, B, C and D are provided below as examples.)

Table A

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Project Director] (Mark: XX%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [P/D] category set out in Table 2 below	Not less than [20] years	Not less than [5] projects	VG
	Not less than [18] years	Not less than [3] projects	G
	Not less than [15] years	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

Table B

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Project Manager] (Mark: YY%) Minimum number of person: [1]^ Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below	Not less than [18] years (professional); or Not less than [23] years (academic)	Not less than [5] projects	VG
	Not less than [15] years (professional); or Not less than [20] years (academic)	Not less than [3] projects	G
	Not less than [12] years (professional); or Not less than [17] years (academic)	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

Table C

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Team Leader (A)] (Mark: ZZ%)	Not less than [18] years (professional)	Not less than [5] projects	VG
Minimum number of person: [1]^	Not less than [15] years (professional)	Not less than [3] projects	G
Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below	Not less than [12] years (professional)	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

Table D

Core Personnel Designation	Post Qualification Experience	Relevant Job Reference	Grade
[Team Leader (B)] (Mark: ZZ%)	Not less than [18] years (professional); or Not less than [23] years (academic)	Not less than [5] projects	VG
Minimum number of person: [1]^	Not less than [15] years (professional); or Not less than [20] years (academic)	Not less than [3] projects	G
Minimum requirements on qualification and experience of a [CP] category set out in Table 2 below	Not less than [12] years (professional); or Not less than [17] years (academic)	Not less than [1] projects	F
	Fail to provide the minimum number of core personnel or meet the standard stated above		P

^ Any person employed or engaged by the consultant or a proposed sub-consultant may be nominated as core personnel.

(Guidance Note:

- (i) The sum of marks allocated to all core personnel shall be 100.
- (ii) To add additional tables if required.
- (iii) To elaborate “Relevant Job Reference” in view of the specific nature of the project where appropriate.
- (iv) To review whether post qualification experience (academic) for core personnel is relevant. In particular, where there are professional institutions in the relevant discipline, it is less likely that post qualification experience (academic) may be relevant.)

The minimum requirements on qualification and experience of individual categories of staff are shown in Table 2 below. Only the qualification and experience obtained by the proposed staff on or before the closing date of submission of EOI (or if it has been extended, the extended date) for this tender shall be counted.

Table 2: Minimum Requirements on Qualification and Experience

Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
Partners/ Directors	Professional Route	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-professional qualification experience
Chief Professional	Professional Route	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-professional qualification experience
	Academic Route	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post-academic qualification experience

(Guidance Note: Include other categories of staff if required.)

AACSB Handbook
Appendix 9 – Typical Format of Brief

Clause 18.4

If the Consultant or Sub-consultant is unlikely to provide or maintain any core personnel as proposed in the Technical Proposal because of reason(s) beyond their control, the Consultant or Sub-consultant shall report to the Director's Representative as soon as practicable and propose, for the Director's Representative's approval, a replacement who can meet the minimum qualification and experience requirements of the staff category concerned and has sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the Consultant.~~substitute staff having qualifications and experience comparable with the staff who are leaving or have left the project team either permanently or temporarily.~~

Guidance Note:

The procuring department should take special care in approving the change of any members of the core personnel ~~such as project manager, partner or associate in charge of the project,~~ whose personal attendance in the ~~consulting team~~ project team of the Consultant has been considered to be essential in the award of the consultancy. Prior to approving a consultant's proposal for any change of core personnel such as the project manager, partner in charge, project director, team leader or specialists, the Director's Representative shall prepare a submission stating clearly that he is satisfied that the core personnel leaving the company is due to genuine and unavoidable grounds, and the proposed replacement can meet the minimum qualification and experience requirements of the staff category concerned and has sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the Consultant.~~revised staffing arrangement is equivalent to or better than the person(s) in the original Technical Proposal of the consultant, in terms of qualifications, experience and competence.~~ An assessment/comparison of the core personnel involved should be done using the proforma at Appendix 43. The following approval procedures shall be followed by departments when dealing with proposed change of core personnel in the ~~consulting team~~ project team of the Consultant in respect of the following cases:

(a) For cases of core personnel leaving the company (including retirement and resignation) or leaving the post and duties for a prolonged period due to family or medical reasons

A D2 (or above) officer assigned by the Head of Department (HoD) shall consider the submission and, if deemed appropriate, give an approval for the application.

(b) For all other cases

The Director's Representative shall forward the submission to a D2 (or above) officer, who

shall consider the submission and make a recommendation to the HoD. Then the HoD may personally give an approval for the application.

If the consultant's proposal for a change of core personnel is not accepted, the consultant shall either adhere to their original staffing proposal or submit another proposal to the procuring department for consideration.

Departments shall be required to submit annual return on the approved cases.

The procuring department should not accept consultant's proposal for replacing core personnel ~~which cannot meet the above requirement with persons whose qualifications and experience are not equivalent to or better than the original personnel~~. If there are practical reasons to deviate from this requirement, the procuring department should be required to seek approval from an appropriate authority and take appropriate follow-up actions, with the justifications, approval and actions taken properly documented.

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**Appendix 43 – Proposal for Change of Core Personnel in ~~Consulting Team~~Project Team
of Consultant**

This proforma should be completed and appended to the submission to the Head of Department (HoD) or the D2 (or above) officer as appropriate. [see Guidance Note to Clause 18.4 of Typical Format of Brief in Appendix 9]

Proposal for Change of Core Personnel in ~~Consulting Team~~Project Team of Consultant

Assessment/Comparison of the Core Personnel

Agreement No. : _____
Position of Core Personnel : _____
Proposed Date of Change : _____

<u>Table A</u>	<u>Core Personnel in the original Technical Proposal of the consultant</u>
<u>Corresponding staff category concerned</u> <u>and</u> <u>Corresponding grade attained</u>	
<u>Minimum requirements on qualification and experience of the corresponding staff category concerned</u> <u>and</u> <u>Number of relevant job reference for attaining the corresponding grade</u> <u>[Guidance Note: The project team shall refer to the “relevant experience and qualifications of core personnel” attribute under the assessment criteria for Technical Proposals stated in Invitation Letter for Technical & Fee Proposals.]</u>	

<u>Table B</u>	Core Personnel in the original Technical Proposal of the consultant	Proposed Replacement
Name of Personnel		
Academic Qualifications		
Professional Qualifications		
Years of Relevant Experience <u>and No(s). of Relevant Job Reference</u>		
Other Remarks <small>-(See Note 1)</small>		
<u>Does the proposed replacement fulfil the criteria required in Table A? (See Note 1)</u>		<u>Yes / No</u>

Note 1

~~In addition to direct comparison of academic & professional qualifications and years of relevant experience, please demonstrate in the “Other Remarks” row that the revised staffing arrangement proposed replacement can meet the minimum qualification and experience requirements of the staff category concerned and has sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the Consultant, is equivalent or better than the person(s) in the original Technical Proposal of the consultant.~~

Consultant’s Declaration of Staffing Proposal in Expression of Interest Submission

Consultancy Agreement No. :

Title:

(a) We confirm that the following staff are core personnel to be deployed by us or our sub-consultants in this Assignment and the following information on our proposed **CORE PERSONNEL** / and those of our sub-consultants* is true:

No.	Name	HKID No.	<u>Core Personnel Designation</u> <i>[e.g. Project Manager or Project Director or Team Leader]Post</i>	<u>Staff Category</u> <i>[e.g. P/D or CP or SP]</i>	Fulltime/ Non-fulltime (F/N)	Current Work Commitment in Ongoing AACSB Consultancy Agreements	Calendar Weeks/Months During Which the Staff Will Not be Available	Degree of Involvement (For Non-fulltime Core Personnel ONLY)	
								% of Staff’s Overall Working Time	Signature of Staff
1.									
2.									
3.									
4.									
5.									

(Name of the Consultant)

(Signature)

(Name and Post of the Signatory)

(Date).....

* Delete as appropriate

Consultant's Declaration of Staffing Proposal in Technical Submission

Consultancy Agreement No. :
Title:

(a) We confirm that the following staff are core personnel to be deployed by us or our sub-consultants in this Assignment and the following information on our proposed **CORE PERSONNEL** / and those of our sub-consultants* is true:

No.	Name	HKID No.	Core Personnel Designation <i>[e.g. Project Manager or Project Director or Team Leader]</i> Post	Staff Category <i>[e.g. P/D or CP or SP]</i>	Fulltime/ Non-fulltime (F/N)	Current Work Commitment in Ongoing AACSB Consultancy Agreements	Calendar Weeks/Months During Which the Staff Will Not be Available	Degree of Involvement (For Non-fulltime Core Personnel ONLY)	
								% of Staff's Overall Working Time	Signature of Staff
1.									
2.									
3.									
4.									
5.									

(Name of the Consultant)

(Signature)

(Name and Post of the Signatory)

(Date).....

* Delete as appropriate

**Consultancy Agreement No. :
Fee Proposal**

Consultant’s Declaration of Staffing Proposal in Technical Submission

Consultancy Agreement No. :

Title:

(a) We confirm that the following staff are core personnel to be deployed by us or our sub-consultants in this Assignment and the following information on our proposed **CORE PERSONNEL** / and those of our sub-consultants* is true:

No.	Name	HKID No.	<u>Core Personnel Designation</u> <i>[e.g. Project Manager or Project Director or Team Leader]Post</i>	<u>Staff Category</u> <i>[e.g. P/D or CP or SP]</i>	Fulltime/Non-fulltime (F/N)	Current Work Commitment in Ongoing AACSB Consultancy Agreements	Calendar Weeks/Months During Which the Staff Will Not be Available	Degree of Involvement (For Non-fulltime Core Personnel ONLY)	
								% of Staff’s Overall Working Time	Signature of Staff
1.									
2.									
3.									
4.									
5.									

(Name of the Consultant)

(Signature)

(Name and Post of the Signatory)

(Date).....

* Delete as appropriate

EACSB Handbook (Revision 16)

Section 8.1.7 – Change of Core Personnel in the ~~Consulting Team~~Project Team of the ConsultantSection 8.1.7

The procedures of approving change of core personnel of ~~consulting team~~project team of the consultant were originally set out in Technical Circular DEVB TCW No. 2/2009. The procedures were streamlined vide SDEV's memorandum ref. DEVB(PS) 106/42 dated 14.1.2013 and DEVB's emails dated 24.9.2020 and 5.3.2024 to improve efficiency and the relevant content of which has now been subsumed at **Appendix 8.2**.

Under the streamlined procedures, the HoD can assign a D2 (or above) officer to approve cases of core personnel leaving the company (including retirement and resignation) or leaving the post and duties for a prolonged period due to family or medical reasons. For all other cases, the HoDs may, having regard to the merit of individual case, personally grant approval. The principle of approving change of core personnel remains unchanged.

EACSB Handbook (Revision 16)

Appendix 8.2 – Change of Core Personnel in the ~~Consulting Team~~ Project Team of the Consultant

In view of the significant input by core personnel of the consultant's team and the impact of their leaving the team, the consultant should report as soon as possible to the Director's Representative (DR) when a member of the core personnel such as the project manager, partner in charge, project director, team leader or specialist, needs to be changed and propose a replacement for the DR's approval ~~a revised arrangement~~. Prior to approving a consultant's proposal for any changes of core personnel, the DR shall prepare a submission stating clearly that he is satisfied that the core personnel leaving the company is due to genuine and unavoidable grounds, and the ~~revised staffing arrangement~~ proposed replacement can meet the minimum qualification and experience requirements of the staff category concerned and has sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the consultant ~~is equivalent to or better than the person(s) in the original Technical Proposal of the consultant, in terms of qualifications, experience, and competence~~. An assessment/comparison of the core personnel involved should be done by using the proforma at Annex A. The following approval procedure shall be followed by departments when dealing with proposed change of core personnel in the ~~consulting team~~ project team of the consultant in respect of the following cases:

- (a) For cases of core personnel leaving the company (including retirement and resignation) or leaving the post and duties for a prolonged period due to family or medical reasons.

A D2 (or above) officer assigned by the Head of Department (HoD) shall consider the submission and, if deemed appropriate, give an approval for the application.

- (b) For all other cases

The DR shall forward the submission to a D2 (or above) officer, who shall consider the submission and make a recommendation to the HoD. Then the HoD may personally give an approval for the application.

If the consultant's proposal for a change of core personnel is not accepted, the consultant shall either adhere to their original staffing proposal or submit another proposal to the procuring department for consideration.

Departments shall be required to submit annual return on approved cases.

This proforma should be completed and appended to the submission to a D2 Officer or above / the Head of Department

Proposal for Change of Core Personnel in ~~Consulting Team~~ Project Team of Consultant

Assessment/Comparison of the Core Personnel

Agreement No . : _____

Position of Core Personnel : _____

Proposed Date of Change : _____

<u>Table A</u>	<u>Core Personnel in the original Technical Proposal of the consultant</u>
<u>Corresponding staff category concerned</u> <u>and</u> <u>Corresponding grade attained</u>	
<u>Minimum requirements on qualification and experience of the corresponding staff category concerned</u> <u>and</u> <u>Number of relevant job reference for attaining the corresponding grade</u> <i><u>(Guidance Note: The project team shall refer to the “relevant experience and qualifications of core personnel” attribute under the assessment criteria for Technical Proposals stated in Invitation Letter for Technical & Fee Proposals.)</u></i>	

<u>Table B</u>	Core Personnel in the original Technical Proposal of the consultant	Proposed Replacement
Name of Personnel		
Academic Qualifications		
Professional Qualifications		
Years of Relevant Experience <u>and No(s). of Relevant Job Reference</u>		

Other Remarks ^(See Note 1)		
<u>Does the proposed replacement fulfil the criteria required in Table A? (See Note 1)</u>	/	<u>Yes / No</u>

Note 1

~~In addition to direct comparison of academic & professional qualifications and years of relevant experience, please demonstrate in the “Other Remarks” row that the revised staffing arrangement proposed replacement can meet the minimum qualification and experience requirements of the staff category concerned and has sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the consultant. is equivalent or better than the person(s) in the original Technical Proposal of the consultant.~~

EACSB Handbook (Revision 16)

Appendix 4.4 – Typical Format of the Brief for a Feasibility Assignment

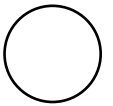
Appendix 4.5 – Typical Format of the Brief for an Investigation Assignment

Appendix 4.6 – Typical Format of the Brief for a Design and Construction Assignment

Clause 15.5 of Appendix 4.4 / Clause 16.5 of Appendix 4.5 / Clause 17.5 of Appendix 4.6

If the Consultants are unable to maintain any of the core personnel specified in the Technical Proposal, the Consultants shall as soon as possible report this to the Director's Representative and propose, for the Director's Representative's approval, a ~~revised personnel arrangement which replacement who can meet the minimum qualification and experience requirements of the staff category concerned and has sufficient number of relevant job reference for attaining the same grade as attained by the member of the core personnel to be replaced in the original Technical Proposal of the Consultants.~~ is equivalent to or better than the existing personnel arrangement, in terms of qualifications, experience and competence.

MEMO



<i>From</i> Secretary for Development	<i>To</i> Distribution
<i>Ref.</i> () in DEVB(PS) 106/43	<i>(Attn:</i> _____ <i>)</i>
<i>Tel. No.</i> 3509 8279	<i>Your Ref.</i> _____
<i>Fax No.</i> 2905 1181	<i>Dated</i> _____ <i>Fax No.</i> _____
<i>Date</i> 31 July 2023	<i>Total Pages</i> 3 + Encl.

Architectural Consultancies under AACSB Consultants' Professional Resources

Further to our previous memo dated 7 November 2022, we have reviewed the professional manpower situation in the consulting sector and would like to introduce the following interim enhancement measures in procuring architectural consultancies under AACSB to facilitate consultants in pooling together adequate professional resources to cope with the demand arising from the surging public works projects.

Qualification Requirements of Staff Categories of Senior Professional (SP) and Professional (P) in Architectural Discipline

2. An **overseas professional route** is hereby introduced as an interim enhancement measure, in addition to the academic route, for Senior Professional (SP) and Professional (P) of the architectural discipline so as to provide architectural consultants greater flexibility to engage non-local talents with professional registration by a national registration body of architects recognised by the HKIA. The weighted manpower input of (i) Senior Professional (SP) or Professional (P) who obtained the qualifications/experience through overseas professional route and (ii) SP or P who obtained the qualifications/experience through academic route, shall not exceed 30% of the weighted manpower input of SP or P respectively deployed for the consultancy services. In conjunction with the introduction of the above overseas professional route, opportunity is also taken to adjust the minimum experience requirements of the academic route for SP and P, having regard to the latest market conditions.

3. We will review the aforementioned interim enhancement measure from time to time in the light of changing circumstances. The relevant amendments to the AACSB Handbook are given in **Annex A**.

Implementation

4. The aforementioned measure shall apply to all AACSB consultancies with Expression of Interest (EOI) submission or Technical and Fee (T&F) Proposals (for the one-stage procurement process) to be invited on or after **21 August 2023**. For agreements with EOI submission or T&F Proposals that have already been invited or will be invited before this date, the new measures may be applied where practicable.
5. Please bring this memo to the attention of project officers responsible for the procurement, administration and management of consultancy agreements.
- 6.. If you have any enquiries, please contact Ms Annisa NG, AS(WP4)6 (tel. no. 3509 7749).

(David HW LEUNG)
for Secretary for Development

Encl.

Distribution (w/encl.)

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c.c. (w/encl.)

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Secretary, AACSB
Secretary, EACSB

Internal

CAS(W)7, AS(WPR)2, AS(WP4)5, AS(WP4)6, AS(WP4)7

Reference	Updates			
Annex D of Appendix 5.1; Annex 3 to Appendix 34 and Appendix 37 of AACSB Handbook	Table 1: Minimum Qualification and Experience Requirement of Each Staff Category for the Services (changes highlighted in <i>bold and italic</i>):			
	Staff Category	Route	Minimum Academic / Professional Qualifications	Minimum Experience Requirement ^{Note 1}
	Partners/ Directors (P/D)	Professional Route	Corporate member of an appropriate professional institution or equivalent	15 years relevant post- <i>professional</i> qualification experience
	Chief Professional (CP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	12 years relevant post- <i>professional</i> qualification experience
Academic Route		University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post- <i>academic</i> qualification experience	

Reference	Updates			
	Senior Professional (SP) <i>[For architectural discipline, please refer to Table 1A]</i>	Professional Route	Corporate member of an appropriate professional institution or equivalent	5 years relevant post- <i>professional</i> qualification experience
		Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 10 years relevant post-<i>academic</i> qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • 12 years relevant post-<i>academic</i> qualification experience for other cases (see Note 2)

Reference	Updates			
	Professional (P) <i>[For architectural discipline, please refer to Table 1A]</i>	Professional Route	Corporate member of an appropriate professional institution or equivalent	No additional requirement
		Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 5 years relevant post-academic qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • 7 years relevant post-academic qualification experience for other cases (see Note 3)
	Assistant Professional (AP)	Academic Route	University degree or equivalent in an appropriate discipline	No additional requirement

Reference	Updates			
	Technical (T)	Academic Route	Diploma or Higher Certificate or equivalent in an appropriate discipline	No additional requirement
<p data-bbox="352 651 584 685"><i>[Guidance Notes:</i></p> <p data-bbox="379 745 1414 875"><i>(i) The lists above show the recommended categories of staff under DEVB TC(W) No. 2/2016 and associated circular memoranda but are not meant to be exhaustive.</i></p> <p data-bbox="379 938 1414 1167"><i>(ii) The procuring department may consider including the minimum qualification requirements for staff under Partners/Directors category is to be a partner, or a company director who is a member of the Board with voting power at Board meetings if needed to suit the specific requirement of the project.</i></p> <p data-bbox="379 1227 1414 1357"><i>(iii) The above minimum qualification and experience requirements are samples only. The procuring department shall establish the staffing requirement for the Services and additional Services being procured.]</i></p>				

Reference	Updates
	<p data-bbox="352 212 453 241">Note 1:</p> <p data-bbox="352 309 1406 580">The requirement of “professional qualification” and the requirement of “qualification” for counting “post-professional qualification experience” should correspond with the qualifications of the relevant disciplines stated in Appendix 1 to the AACSB Handbook, where applicable. [Note: Project teams shall consider the manpower and qualification of the staff required for their consultancies being procured and may delete this Note 1 if consider inappropriate.]</p> <p data-bbox="352 645 453 674">Note 2:</p> <p data-bbox="352 741 1417 869">The weighted manpower input of Senior Professional (SP) for such cases shall not be more than 30% of the weighted manpower input of SP deployed for the consultancy services.</p> <p data-bbox="352 934 453 963">Note 3:</p> <p data-bbox="352 1030 1417 1158">The weighted manpower input of Professional (P) for such cases shall not be more than 30% of the weighted manpower input of P deployed for the consultancy services.</p>

Reference	Updates			
	Table 1A: Minimum Qualification and Experience Requirement of Senior Professional/Professional in <u>Architectural Discipline</u> for the Services (changes highlighted in <i>bold and italic</i>):			
	Staff Category	Route	Minimum Academic / Professional	Minimum Experience Requirement
Senior Professional (SP)		Professional Route	Corporate member of an appropriate professional institution or equivalent	5 years relevant post- <i>professional</i> qualification experience
		<i>Overseas Professional Route</i>	<i>A holder of the professional registration by a national registration body with non-local Architectural Professionals Qualifications recognized by the HKIA</i>	<i>5 years relevant post-professional qualification experience (including 1 year relevant local experience) (See Note 4 and Note 6)</i>
		Academic Route	University degree or equivalent in an appropriate discipline (<i>See Note 7</i>)	<i>10 years relevant post-academic qualification experience (including 1 year relevant local experience) (See Note 4 and Note 6)</i>

Reference	Updates			
	Professional (P)	Professional Route	Corporate member of an appropriate professional institution or equivalent	No additional requirement
		Overseas Professional Route	A holder of the professional registration by a national registration body with non-local Architectural Professionals Qualifications recognized by the HKIA	2 years relevant post-professional qualification experience (including 1 year relevant local experience) (See Note 5 and Note 6)
		Academic Route	University degree or equivalent in an appropriate discipline (See Note 7)	5 years relevant post-academic qualification experience (including 1 year relevant local experience) (See Note 5 and Note 6)

Note 4:

The weighted manpower input of (i) Senior Professional (SP) who obtained qualifications/experience through overseas professional route and (ii) SP who obtained qualifications/experience through academic route, shall not exceed 30% of the weighted manpower input of SP deployed for the consultancy services.

Note 5:

The weighted manpower input of (i) Professional (P) who obtained qualifications/experience through overseas professional route and (ii) P who obtained qualifications/experience through academic route, shall not exceed 30% of the weighted manpower input of P deployed for the consultancy services.

Reference	Updates																						
	<p data-bbox="352 210 453 241">Note 6:</p> <p data-bbox="352 304 1390 434"><i>If the total number of SP or P proposed by consultants does not exceed 10, the maximum number of SP or P allowed for overseas professional route and /or academic route shall refer to the following table:</i></p> <table border="1" data-bbox="359 488 1307 1182"> <thead> <tr> <th data-bbox="359 488 815 633"><i>Total Number of SP or P Proposed by Consultants</i></th> <th data-bbox="815 488 1307 633"><i>Maximum Number of SP or P for Overseas Professional Route and/or Academic Route</i></th> </tr> </thead> <tbody> <tr><td data-bbox="359 633 815 689">1</td><td data-bbox="815 633 1307 689">0</td></tr> <tr><td data-bbox="359 689 815 745">2</td><td data-bbox="815 689 1307 745">0</td></tr> <tr><td data-bbox="359 745 815 801">3</td><td data-bbox="815 745 1307 801">1</td></tr> <tr><td data-bbox="359 801 815 857">4</td><td data-bbox="815 801 1307 857">1</td></tr> <tr><td data-bbox="359 857 815 913">5</td><td data-bbox="815 857 1307 913">1</td></tr> <tr><td data-bbox="359 913 815 969">6</td><td data-bbox="815 913 1307 969">2</td></tr> <tr><td data-bbox="359 969 815 1025">7</td><td data-bbox="815 969 1307 1025">2</td></tr> <tr><td data-bbox="359 1025 815 1081">8</td><td data-bbox="815 1025 1307 1081">2</td></tr> <tr><td data-bbox="359 1081 815 1137">9</td><td data-bbox="815 1081 1307 1137">3</td></tr> <tr><td data-bbox="359 1137 815 1182">10</td><td data-bbox="815 1137 1307 1182">3</td></tr> </tbody> </table> <p data-bbox="352 1285 453 1317">Note 7:</p> <p data-bbox="352 1379 1428 1464"><i>For staff category of SP and P, “University Degree” refers to a Master’s Degree in Architectural Study accredited or recognized by the HKIA.</i></p>	<i>Total Number of SP or P Proposed by Consultants</i>	<i>Maximum Number of SP or P for Overseas Professional Route and/or Academic Route</i>	1	0	2	0	3	1	4	1	5	1	6	2	7	2	8	2	9	3	10	3
<i>Total Number of SP or P Proposed by Consultants</i>	<i>Maximum Number of SP or P for Overseas Professional Route and/or Academic Route</i>																						
1	0																						
2	0																						
3	1																						
4	1																						
5	1																						
6	2																						
7	2																						
8	2																						
9	3																						
10	3																						

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MEMO

From Secretary for Development
Ref. in DEVB(PS) 106/43
Tel. No. 3509 8739
Fax No. 2513 5608
Date 26 July 2023

To Distribution
(Attn.: _____)
Your Ref. _____
dated _____ Fax. No. _____
Total Pages 3

**DEVB Technical Circular (Works) No. 2/2016
Assessment of Consultants' Proposals**

**DEVB Technical Circular (Works) No. 5/2018
New Policy for the Selection, Appointment and Management
of Consultants under the Purview of the Engineering and
Associated Consultants Selection Board**

**Referenced Staff Rates for Additional Services
for EACSB and AACSB Consultancies adopting Enhanced Bidding Mechanism**

Further to our memo under the same series dated 29 August 2022 promulgating a set of referenced staff rates for additional Services for EACSB and AACSB consultancies (including DCSC) adopting the enhanced bidding mechanism, we have recently conducted a review on the concerned staff rates and updated them as shown below:-

Staff Categories	Partners / Directors (P/D)	Chief Professional (CP)	Senior Professional (SP)	Professional (P)	Assistant Professional (AP)	Technical (T)
Referenced Staff Rates (\$/man-hour)	1,920	1,536	1,094	872	478	282

2. The updated rates shall be included in the invitation documents for EACSB and AACSB (including DCSC) consultancies adopting the enhanced bidding mechanism with T&F Proposals to be invited on or after **1 August 2023**.
3. DEVB will continue to review and update the above rates from time to time as appropriate.
4. Please bring this memo to the attention of the officers responsible for managing consultancies.

5. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Ms Kit-man LI, AS(WPR)2 at 3509 8698.

(Y K HO)
for Secretary for Development

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Secretary, AACSB	
Secretary, EACSB	

Internal: PAS(W)4, CAS(W)7, TL(WPR), AS(WP4)5, AS(WP4)6, AS(WPR)2, E(WPR)SD

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MEMO

<i>From</i> <u>Secretary for Development</u>	<i>To</i> <u>Distribution</u>
<i>Ref.</i> <u>() in DEVB(PS) 106/43</u>	<i>(Attn:</i> _____ <i>)</i>
<i>Tel. No.</i> <u>3509 8279</u>	<i>Your Ref.</i> _____
<i>Fax No.</i> <u>2905 1181</u>	<i>Dated</i> _____ <i>Fax No.</i> _____
<i>Date</i> <u>26 July 2023</u>	<i>Total Pages</i> <u>2</u>

EACSB Consultancies
Reference Average Resident Site Staff Costs

Further to our memo under the same series dated 29 August 2022 promulgating a set of reference average Resident Site Staff (RSS) costs of each collective rank for EACSB consultancies, we have recently conducted a review on the concerned reference average RSS costs and updated them as shown below:-

Collective Ranks	R1	R2	R3	R4	R5
Reference Average RSS Cost (HK\$/man-month)	177,092	133,410	89,918	52,923	25,408

2. The updated reference average RSS costs shall be included in the invitation documents for EACSB consultancies involving employment of RSS with T&F Proposals to be invited on or after **1 August 2023**.
3. DEVB will continue to review and update the above costs from time to time as appropriate.
4. Please bring this memo to the attention of the project officers who are responsible for administration and management of consultancy agreements.
5. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(David H W LEUNG)
for Secretary for Development

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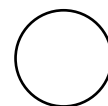
c.c.

DAFC (Attn.: Mr Victor Loong)
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LA(W) (Attn.: Ms Angie Ip)
Secretary, EACSB
Secretary, AACSB

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CAS(W)7, TL(WPR), AS(WPR)2, AS(WP4)5, AS(WP4)7

MEMO



<i>From</i>	Secretary for Development	<i>To</i>	Distribution
<i>Ref.</i>	() in DEVB(PS) 106/43	<i>(Attn:</i>)
<i>Tel. No.</i>	3509 8279	<i>Your Ref.</i>	
<i>Fax No.</i>	2905 1181	<i>Dated</i>	<i>Fax No.</i>
<i>Date</i>	11 July 2023	<i>Total Pages</i>	3 + encl.

EACSB Consultancies **Upper Limit on Resident Site Staff On-cost Rates**

To promote reasonable and healthy level of Resident Site Staff (RSS) on-cost charges, we have set a minimum amount for the on-cost rates for five collective ranks of RSS¹ via our memo ref. DEVB(PS) 106/43 dated 25 August 2022. We recently noted that some consultants submitted bids with unreasonably high RSS on-cost rates which in turn affected the determination of the median of consultancy fees for calculation of the weighted consultancy fee score for each bidder. To address this issue, we consider it necessary to set an upper limit on the on-cost rates for the same collective ranks of RSS with corresponding correction rules such that the RSS on-cost rates for each collective rank shall be within the range of 5% to 30% of the reference average RSS costs² of the corresponding collective rank.

2. The updated provisions for the range of RSS on-cost rates for EACSB consultancies are attached at **Annexes A and B** for reference.

3. The above measure shall apply to all EACSB consultancies with T&F Proposals to be invited on or after **31 July 2023**. For agreements with T&F Proposals already invited or to be invited before this date, the new measure may be applied where practicable.

4. Please bring this memo to the attention of the project officers who are responsible for administration and management of consultancy agreements.

¹ The collective ranks of RSS concerned are defined as R1, R2, R3, R4 and R5 pursuant to Appendices 7.1A to 7.3A of Management Handbook for Direct Employment of Resident Site Staff by Consultants for Public Works Projects.

² The reference average RSS cost of each collective rank was promulgated via DEVB's memo ref. DEVB(PS) 106/43 dated 29 August 2022 and will be updated from time to time with reference to the prevailing RSS salaries.

5. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(David H W LEUNG)
for Secretary for Development

Encl.

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Secretary, EACSB
Secretary, AACSB

Internal

CAS(W)7, TL(WPR), AS(WPR)2, AS(WP4)5, AS(WP4)7

Annex A - For GCE Form Consultancy

The following updates (highlighted in ***bold and italic***) shall be made for setting an upper limit of RSS on-cost rates for EACSB consultancies. Please be noted that the relevant provisions as promulgated under DEVB’s memo ref. DEVB(PS) 106/43 dated 25 August 2022 have been incorporated for easy reference.

Reference	Updates
Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)	<p>1. Paragraph 10 of the letter is replaced by the following updated version (latest changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to insert the on-cost rate in respect of each <i>collective rank</i> specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff” (<i>“RSS Proforma”</i>), which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. <i><u>The RSS on-cost rates (except for R10) shall be within the range of 5% to 30% of the reference average RSS cost of the corresponding collective rank. The reference average RSS cost for each collective rank can be found in the RSS Proforma.</u></i></p> <p><i><u>(a)</u></i> If you fail to put in the RSS on-cost rates <i><u>for any collective rank</u></i> (except for R10) in the <i><u>RSS Proforma</u></i>, the relevant rate shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.</p> <p><i><u>(b)</u></i> If <i><u>the RSS on-cost rates for any collective rank</u></i> (except for R10) you entered in the RSS Proforma is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.</p> <p><i><u>(c)</u></i> If <i><u>the RSS on-cost rates for any collective rank (except for R10) you entered in the RSS Proforma is higher than 30% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 30% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.</u></i></p> <p><i><u>(d)</u></i> If you fail to put in the RSS on-cost rate for R10 in the RSS Proforma, the relevant rate shall be corrected by deeming the same as zero.</p>

Reference	Updates
	<p>We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</p>
<p>Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)</p>	<p>1. Paragraph 10 of the letter is replaced by the following updated version (latest changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to insert the on-cost rate in respect of each <i>collective rank</i> specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff” (<i>“RSS Proforma”</i>), which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. <i>The RSS on-cost rates (except for R10) shall be within the range of 5% to 30% of the reference average RSS cost of the corresponding collective rank. The reference average RSS cost for each collective rank can be found in the RSS Proforma.</i></p> <p><i>(a)</i> If you fail to put in the RSS on-cost rates <i>for any collective rank</i> (except for R10) in the <i>RSS Proforma</i>, the relevant rate shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.</p> <p><i>(b)</i> If <i>the RSS on-cost rates for any collective rank</i> (except for R10) you entered in the RSS Proforma is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 5% of</p>

Annex A - For GCE Form Consultancy

Reference	Updates
	<p>the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.</p> <p><u>(c) If the RSS on-cost rates for any collective rank (except for R10) you entered in the RSS Proforma is higher than 30% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 30% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.</u></p> <p><u>(d)</u> If you fail to put in the RSS on-cost rate for R10 in the RSS Proforma, the relevant rate shall be corrected by deeming the same as zero.</p> <p>We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</p>

Annex A - For GCE Form Consultancy

Reference	Updates														
<p>Appendix 3.13 of EACSB Handbook – Sample Fee Proforma</p>	<p>1. The table for RSS on-cost rate of each collective rank on Page 1 is replaced by the following updated version (latest changes highlighted in bold and italic):</p> <table border="1" data-bbox="571 416 1401 943"> <thead> <tr> <th data-bbox="571 416 986 600">Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer</th> <th data-bbox="986 416 1401 600">RSS on-cost rate of each collective rank (HK\$/man-month) #</th> </tr> </thead> <tbody> <tr> <td data-bbox="571 600 986 651">^ R1</td> <td data-bbox="986 600 1401 651"></td> </tr> <tr> <td data-bbox="571 651 986 703">^ R2</td> <td data-bbox="986 651 1401 703"></td> </tr> <tr> <td data-bbox="571 703 986 754">^ R3</td> <td data-bbox="986 703 1401 754"></td> </tr> <tr> <td data-bbox="571 754 986 806">^ R4</td> <td data-bbox="986 754 1401 806"></td> </tr> <tr> <td data-bbox="571 806 986 898">^ R5</td> <td data-bbox="986 806 1401 898"></td> </tr> <tr> <td data-bbox="571 898 986 943">^ R10</td> <td data-bbox="986 898 1401 943"></td> </tr> </tbody> </table> <p>Remarks:</p> <p># The RSS on-cost rate of each collective rank (except R10) shall <i>be within the range of 5% to 30%</i> of the reference average RSS cost of the corresponding collective rank given in the table below and are subject to correction in accordance with DEVB TC(W) No. 5/2018 and paragraph [] 【Insert appropriate paragraph number】 of the Invitation Letter for Submission of Technical and Fee Proposals.</p>	Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer	RSS on-cost rate of each collective rank (HK\$/man-month) #	^ R1		^ R2		^ R3		^ R4		^ R5		^ R10	
Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer	RSS on-cost rate of each collective rank (HK\$/man-month) #														
^ R1															
^ R2															
^ R3															
^ R4															
^ R5															
^ R10															

Guidelines on Preparation of Fee Proposal**(A) General**

1. The Fee Proposal comprises (i) the Contract Data Part two (Section 2), (ii) the *activity schedule*; (iii) Annexes A to E of Fee Proposal (using the proforma provided), and (iv) other financial information if any, as specified in these Guidelines and the Invitation Letter for Agreement No. **【 Insert agreement no. and title 】** .
2. ***[Applicable for AACSB consultancies]***
A sealed envelope containing two signed copies of the Fee Proposal must be placed in the AACSB Submission Box located in the Lift Lobby of the 35th Floor of Queensway Government Offices, 66 Queensway, Hong Kong before 12:00 noon on Friday, **【XXXXXX】** .

The information below shall be marked on the sealed envelope:

Chairman, AACSB
Director of Architectural Services
35/F, Queensway Government Offices
66 Queensway
Hong Kong

“AACSB Fee Proposal for Agreement No. **【 Insert agreement no. and title 】** , submitted by _____”.

[Applicable for EACSB consultancies]
A sealed envelope containing two signed copies of the Fee Proposal must be placed in the EACSB Tender Box located at the reception on 15/F., Civil Engineering and Development Building, 101, Princess Margaret Road, Homantin, Kowloon before 12:00 noon on Friday, **【XXXXXX】** .

The information below shall be marked on the sealed envelope:

Chairman, EACSB
Director of Civil Engineering and Development
15/F, Civil Engineering and Development Building
101, Princess Margaret Road
Ho Man Tin, Kowloon

“EACSB Fee Proposal for Agreement No. **【 Insert agreement no. and title 】** , submitted by _____”.

3. Completion of the Contract Data Part two (Section 2) in full is required to create a complete contract.
4. If the Fee Proposal is submitted by a Joint Venture, all participants in the Joint Venture must sign the Fee Proposal.

(B) Annexes A to E of Fee Proposal

5. The tendered total of the Prices in the Contract Data Part two (Section 2) shall be equal to the total of the prices for all phases in Annex A of the Fee Proposal.
6. Annex C of the Fee Proposal will not be taken into account in the combined score assessment of the Technical and Fee Proposals for the award of this contract.
7. Annex D of the Fee Proposal shall be completed for each phase covered by this contract.
8. The manning schedule details required in Annex E of the Fee Proposal should be provided by using as many sheets as necessary **【if this contract lasts longer than 12 months】** or **【if more than 20 personnel are involved】** . The **【adjusted staff rates】** * / **【staff rates】** * quoted shall be all-inclusive rates.

* Delete as appropriate to suit Option A or C.

(C) Correction Rules for Tender Errors in Fee Proposal

9. ***[Applicable for Option A]***

In respect of the percentage adjustment factor for each staff category specified in the Contract Data Part two (Section 2), irrespective of the number of Subconsultants that may be involved, only ONE percentage adjustment factor shall be inserted as specified. **The consultant's submissions which do not comply with this requirement shall not be considered further in the consultants selection exercise.**

[Applicable for Option C]

In respect of each staff category for the “*staff rates*” specified in the Contract Data Part two (Section 2), irrespective of the number of Subconsultants that may be involved, only ONE rate shall be inserted as specified. **The consultant's submissions which do not comply with this requirement shall not be considered further in the consultants selection exercise.**

10. ***[Applicable for consultancies involving employment of Resident Site Staff]***

In respect of each collective rank for the “*RSS on-cost rates*” specified in the Contract Data Part two (Section 2), only ONE rate shall be inserted as specified. **The consultant's submissions which do not comply with this requirement shall not be considered further in the consultants selection exercise.**

11. ***[Applicable for Option A]***

The consultant's attention is drawn to the requirement to insert the percentage adjustment factor not exceeding the range of -30% to +30% for calculating the *staff rates* in respect of each staff category specified in the Contract Data Part two (Section 2), which is essential for bid assessment purpose and for the assessment of the Time Charge for compensation events/management of the *Consultant* upon award of this contract. If the consultant fails to put in any or all of these factors, the relevant factor(s) shall be corrected by deeming the factor(s) as zero. If the percentage adjustment factor(s) entered by the consultant in the Contract Data Part two (Section 2) for calculating the *staff rates* for any or all of the

categories of staff is higher than the upper limit of +30%, the relevant percentage adjustment factor(s) shall be corrected to such upper limit. If the percentage adjustment factor(s) entered by the consultant in the Contract Data Part two (Section 2) for calculating the *staff rates* for any or all of the categories of staff is lower than the lower limit of -30%, the relevant percentage adjustment factor(s) shall be corrected to such lower limit. **【 Insert government department 】** will seek confirmation from the consultant to abide by the bid with the relevant factor(s) so corrected for calculating the *staff rates* for bid assessment purpose and for the assessment of the Time Charge for compensation events/management of the *Consultant* upon award of this contract. If the consultant confirms his agreement to abide by the bid with the percentage adjustment factor(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals will then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【 X 】** to the invitation letter on the basis of the proposed prices and/or percentage adjustment factors with such percentage adjustment factor(s) so corrected and confirmed. If the consultant fails to confirm his agreement to abide by the bid with the percentage adjustment factor(s) so proposed and/or corrected in writing by a specified deadline, **the consultant's submission shall not be considered further in the consultant selection exercise.**

[Applicable for Option C]

The consultant's attention is drawn to the requirement to insert the "*staff rates*" in respect of each category of staff specified in the Contract Data Part two (Section 2), which is essential for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant fails to put in any or all of *staff rates*, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. **【 Insert government department 】** will seek confirmation from the consultant to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant confirms his agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) No. 2/2016, No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【 X 】** to the invitation letter on the basis of the proposed prices and/or rates with such rate(s) so corrected and confirmed. If the consultant fails to confirm his agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.**

12. ***[Applicable for AACSB consultancies involving employment of Resident Site Staff]***

The consultant's attention is drawn to the requirement to insert the "*RSS on-cost rates*" in respect of each category of staff specified in the Contract Data Part two (Section 2), which is essential for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant fails to put in any or all of the *RSS on-cost rates*, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. We will seek confirmation from the consultant to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant confirms his agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments

as stated in Annex **【 X 】** to the invitation letter on the basis of the proposed prices and/or rates with such rate(s) so corrected and confirmed. If the consultant fails to confirm his agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.**

[Applicable for EACSB consultancies involving employment of Resident Site Staff]

The consultant's attention is drawn to the requirement to insert the "RSS on-cost rates" in respect of each ~~category~~collective rank-of-staff specified in the Contract Data Part two (Section 2), which is essential for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. The RSS on-cost rates (except for R10) shall be within the range of 5% to 30% of the reference average RSS cost of the corresponding collective rank. The reference average RSS cost for each collective rank can be found in paragraph 20 below.

- (i) If the consultant fails to put in ~~any or all of~~ the RSS on-cost rates for any collective rank (except for R10) in the Contract Data Part two (Section 2), the relevant rate(s) shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.
- (ii) If ~~any of~~ the RSS on-cost rates for any collective rank (except for R10) the consultant entered in the Contract Data Part two (Section 2) is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate(s) shall be corrected to 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent.
- (iii) If the RSS on-cost rates for any collective rank (except for R10) the consultant entered in the Contract Data Part two (Section 2) is higher than 30% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 30% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. The reference average RSS cost for each collective rank can be found in paragraph 20 below.
- (iv) If the consultant fails to put in the RSS on-cost rate for R10 in the Contract Data Part two (Section 2), the relevant rate shall be corrected by deeming the same as zero.

We will seek confirmation from the consultant to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant confirms his agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【 X 】** to the invitation letter on the basis of the proposed prices and/or rates with such rate(s) so corrected and confirmed. If the consultant fails to confirm his agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.**

13. The consultant's attention is drawn to the units of the rates as specified in the proforma for the Contract Data Part two (Section 2) and Annexes A to E of the Fee Proposal attached to the Invitation Letter for Submission of Technical and Fee Proposals. Where any of the units of the rates as presented on the Contract Data Part two (Section 2) and/or Annexes

A to E of the Fee Proposal the consultant has submitted differs from the unit(s) of the respective rate(s) specified in the prescribed proforma, such discrepancy shall be corrected by regarding the former as an inadvertent typographical error and the unit(s) concerned in the Contract Data Part two (Section 2) submitted shall be automatically corrected to the corresponding unit(s) as per the prescribed proforma. For such corrections, only the units are to be so corrected, but not the numerical figures as filled in by the consultant in the Contract Data Part two (Section 2) and/or Annexes A to E of the Fee Proposal submitted.

【 Insert government department 】 will then seek confirmation from the consultant to abide by the bid with units so corrected. If the consultant confirms his agreement to abide by the bid with units corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【 X 】** to the invitation letter on the basis of the proposed prices and/or rates with units so corrected and confirmed. If the consultant fails to confirm his agreement to abide by the bid with units so corrected in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.**

14. **[Applicable for Option A]**

Where the tendered total of the Prices in the Contract Data Part two (Section 2) is different from the total of the prices for all phases in the summary breakdown of the tendered total of the Prices in Annex A of the Fee Proposal or other discrepancies are identified, such as where the manpower input in Annex E of the Fee Proposal does not tally with the Technical Proposal, the consultant will be asked to rectify the discrepancy by correcting arithmetic errors or making adjustments to the “adjusted staff rate” or amending any information/data in the Fee Proposal subject to paragraph 15(ii) below to bring it in line with the tendered total of the Prices in the Contract Data Part two (Section 2) and the manpower input in the Technical Proposal where appropriate. If the consultant fails to rectify the discrepancies and confirm his agreement to abide by the bid with discrepancies so rectified in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.** However, the consultant is not allowed to make any adjustment to the “tendered total of the Prices”, the percentage adjustment factors for calculating the “staff rates” and, if applicable, the “RSS on-cost rates” in the Contract Data Part two (Section 2) (except for the necessary corrections of the percentage adjustment factors pursuant to paragraph 11 above and, if applicable, the “RSS on-cost rates” pursuant to paragraph 12 above).

[Applicable for Option C]

Where the “staff rates” in the Contract Data Part two (Section 2) is different from the “staff rates” quoted in the manning schedule in Annex E of the Fee Proposal or other discrepancies are identified, such as where the manpower input in Annex E of the Fee Proposal does not tally with the Technical Proposal, the consultant will be asked to rectify the discrepancy by correcting arithmetic errors or making corrections to the “staff rates” quoted in the manning schedule in Annex E of the Fee Proposal and/or the “tendered total of the Prices” in the Contract Data Part two (Section 2) or amending any information/data in the Fee Proposal subject to paragraph 15(ii) below to bring it in line with the “staff rates” in the Contract Data Part two (Section 2) and the manpower input in the Technical Proposal where appropriate. If the consultant fails to rectify the discrepancies and confirm his agreement to abide by the bid with discrepancies so rectified in writing by a specified deadline, **the consultant's submissions shall not be considered further in the**

consultants selection exercise. However, the consultant is not allowed to make any adjustment to the “*staff rates*” and, if applicable, the “*RSS on-cost rates*” in the Contract Data Part two (Section 2) (except for the necessary corrections of the “*staff rates*” pursuant to paragraph 11 above and, if applicable, the “*RSS on-cost rates*” pursuant to paragraph 12 above).

15. The following correction rules shall be applied to the *activity schedule*:

- (i) The price for each activity shall be inserted as a percentage of the tendered total of the Prices.
- (ii) Where there is no price or an illegible price inserted against any activity, it shall be deemed that the price for the activity has been allowed in prices entered elsewhere in the *activity schedule* and the percentage shall therefore be marked as zero.
- (iii) If one or more pages of the *activity schedule* or any minimum item of activities shown in the proforma for the *activity schedule* are found missing, the prices for all activities in the missing page(s) or missing minimum items of activities as appropriate shall be marked as zero and the prices shall be deemed to have been allowed for in prices entered elsewhere in the *activity schedule*. Where the activity description for any minimum item of activities shown in the proforma for the *activity schedule* is amended, if a price has been entered against this item, the same price shall be used for this item with the activity description rectified to the original one.
- (iv) Should there be a tender addendum introducing changes to the proforma for the *activity schedule* but the changes have not been incorporated into the *activity schedule* by the consultant, then the changes as required by the tender addendum shall be incorporated into the consultant’s *activity schedule* and the prices for those new activities or modified activities shall be determined as follows:

Where new activity is introduced	Price for the new activity shall be marked as zero and the price of the activity shall be deemed to have been allowed for in prices entered elsewhere in the <i>activity schedule</i> .
Where the activity description is changed	If a price has been entered against the original activity, the same price shall be used.
Where an activity is deleted	That activity shall be deleted in accordance with the addendum.

- (v) Where the total of the prices for the additional activities entered by the consultant exceeds 【10%】 ^ of the tendered total of the Prices, the total of the prices for the additional activities shall be corrected to the equivalent value of 【10%】 ^ of the tendered total of the Prices. The difference between the corrected prices and the

original prices for the additional activities entered by the consultant shall then be distributed to all other activities in proportion according to the original prices of those activities entered by the consultant. The prices for the additional activities shall be adjusted on a pro rata basis. [Optional]

^ Please insert appropriate percentage to suit the project specific consideration.

- (vi) The sum of inserted prices for individual group/groups of activities or each phase shall lie within the maximum and minimum limits as specified in the proforma for the *activity schedule* attached to the Invitation Letter for Submission of Technical and Fee Proposals. The consultant is allowed to provide comments to **【Insert government department】** on the specified maximum and minimum limits before and in the pre-submission meeting. Any sum of inserted prices lower than the minimum limit shall be corrected to the minimum limit, whilst any sum of inserted prices higher than the maximum limit shall be corrected to the maximum limit. The difference between the corrected price and the original price for the concerned group/groups of activities or the concerned phase entered by the consultant shall then be distributed to other groups or phases in proportion according to the original prices of those groups or phases entered by the consultant subject to their respective maximum and minimum limits. The prices for the activities within the groups or phases shall be adjusted on a pro rata basis. [Optional]
- (vii) Errors in extension and casting of totals shall be corrected.
- (viii) The tender examiner may adjust the corrected prices for any activities for any round-off error.
- (ix) Subject to other provisions in these guidelines, the *activity schedule* and/or the manning schedule in Annex E of the Fee Proposal should be corrected to match with each other as far as possible. **【The adjusted staff rates in Annex E of the Fee Proposal may be rectified to suit.】** * **[Applicable for Option A]** / **【The prices for the concerned activities may be rectified to suit.】** * **[Applicable for Option C]** Where appropriate, the consultant shall note that the tender examiner may allow any minor discrepancies between the *activity schedule* and the manning schedule in Annex E of the Fee Proposal, where the former shall prevail and be used for payment/management of the *Consultant* upon award of this contract.

* Delete as appropriate.
- (x) If the consultant is asked to correct any errors under this paragraph, **【Insert government department】** will seek confirmation from the consultant to abide by the bid with the corrections. If the consultant fails to confirm his agreement to abide by the bid with the corrections in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.**

16. In the event no written correction rule is applicable,

- (i) where ambiguity as to the consultant's true intention exists, it shall be construed by the tender examiner by reference to the best practice or his best judgment; and
- (ii) where errors relate to factual information and there is no room for manipulation by a consultant by virtue of subsequent correction; or where the correction of such errors would not change the tender in substance or the quality of the tender which would give the consultant an advantage over the other consultants, the concerned consultant may be permitted to correct the errors. In other cases, the tender shall be assessed with the errors as submitted.
17. If the consultant is asked to correct any errors under paragraph 16 above, **【 Insert government department 】** will seek confirmation from the consultant to abide by the bid with the corrections. If the consultant fails to confirm his agreement to abide by the bid with the corrections in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultants selection exercise.**

(D) Combined Score Assessment

18. Combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) No. 2/2016 and No.5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【 X 】** to the invitation letter. The weightings for technical score, consultancy fee score and fee quality score for this contract are **【 XX 】** %, **【 XX 】** % and 10% respectively.
19. Notional man-hours for compensation events are listed in the table below. **【 The staff rates calculated in accordance with Note 2 of the Contract Data Part two (Section 2) 】** * **[Applicable for Option A]** / **【 The staff rates in the Contract Data Part two (Section 2) 】** * **[Applicable for Option C]** will be applied with the notional man-hours for compensation events to arrive at the "adjusted notional value for compensation events" to be used for purpose of the combined score assessment of Technical and Fee Proposals by adopting DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【 X 】** to the invitation letter.

* Delete as appropriate.

Staff category	Notional man-hours for compensation events
Partners/Directors (P/D)	【 XX 】
Chief Professional Staff (CP)	【 XX 】
Senior Professional Staff (SP)	【 XX 】
Professional Staff (P)	【 XX 】

Assistant Professional Staff (AP)	【XX】
Technical Staff (T)	【XX】

For the avoidance of doubt, notwithstanding the adjusted notional value for compensation events, the *Employer* has no obligation whatsoever to implement any compensation event.

20. The **【notional numbers】** * [*Applicable for AACSB consultancies*] / **【reference average RSS costs and notional numbers】** * [*Applicable for EACSB consultancies*] of man-months of collective ranks of Resident Site Staff (“RSS”) directly employed by the *Consultant* or Government staff posted to the *Consultant* by the *Employer* are listed in the table below. The *RSS on-cost rates* in the Contract Data Part two (Section 2) will be applied with the notional numbers of man-months to arrive at the “notional RSS on-cost charges” to be used for purpose of the combined score assessment of Technical and Fee Proposals by adopting DEVB TC(W) No. 2/2016 and 5/2018 and their subsequent updates (if any) with amendments as stated in Annex **【X】** to the invitation letter.

[The following table is applicable for AACSB consultancies involving employment of Resident Site Staff]

Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to the <i>Consultant</i> by the <i>Employer</i>	Notional number of man-months of each collective rank (man-month)
R1	【XX】
R2	【XX】
R3	【XX】
R4	【XX】
R5	【XX】
R10	【XX】

[The following table is applicable for EACSB consultancies involving employment of Resident Site Staff]

Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to <i>Consultant</i> by the <i>Employer</i>	Reference average RSS cost (HK\$/man-month)	Notional number of man-months of each collective rank (man-month)
R1	【XX】	【XX】
R2	【XX】	【XX】
R3	【XX】	【XX】
R4	【XX】	【XX】
R5	【XX】	【XX】
R10		【XX】

[Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department.]

The notional Resident Site Staff (RSS) establishment is given in **Attachment A**.

The details of the collective ranks of RSS directly employed by the *Consultant* or Government staff posted to the *Consultant* by the *Employer* are in clause C2 of the *additional conditions of contract*.

For the avoidance of doubt, notwithstanding the notional RSS on-cost charges, the *Employer* has no obligation whatsoever to instruct any *services* in relation to the RSS as the notional Resident Site Staff (RSS) establishment.

21. For the purpose of the combined score assessment of Technical and Fee Proposals by adopting DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex 【X】 to the invitation letter, “lump sum fee” means the “tendered total of the Prices” in the Contract Data Part two (Section 2) and “consultancy fee” means the sum of (i) the “tendered total of the Prices”, (ii) the “adjusted notional value for compensation events” as calculated in accordance with paragraph 19 above, and if applicable, (iii) the “notional RSS on-cost charges” as calculated in accordance with paragraph 20 above. ***[Amend as appropriate]***

(E) Enquiries

22. Questions regarding the completion of the Fee Proposal should be made to 【Insert name and post of the project officer】 of 【Insert Government department】 .

Agreement No. [Insert agreement no.]

Guidelines on Preparation of Fee Proposal

[Insert agreement title]

Attachment A – Notional Resident Site Staff (RSS) Establishment [Optional]

(I) Rank	(II) Posts in notional RSS establishment	(III) No. in notional RSS establishment	(IV) Notional number of man-months	(V) Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to the <i>Consultant</i> by the <i>Employer</i>

CONTRACT DATA

Part two – Data provided by the *Consultant*

Section 2 (To be included in the envelope for fee proposal only)

Completion of the data in full is required to create a complete contract.

1 General

[Applicable to Option A]

- The *activity schedule* is the document entitled “Activity Schedule” of Agreement No. **【 Insert agreement no. and title 】, submitted by the *Consultant*** in the tender.
- The tendered total of the Prices is HK\$..... .
- The percentage adjustment factors for calculating the *staff rates* are:

Staff category ^{Note 1}	Percentage adjustment factors ^{Notes 2, 3, 4 and 5} (%)
Partners/Directors (P/D)	
Chief Professional Staff (CP)	
Senior Professional Staff (SP)	
Professional Staff (P)	
Assistant Professional Staff (AP)	
Technical Staff (T)	

Note 1: The minimum qualifications and experience requirements for each staff category are set out in the table below.

Note 2: The *staff rate* for each staff category is calculated by multiplying the referenced staff rate stated in Contract Data Part one by the proposed percentage adjustment (being 100% + the percentage adjustment factor stated in Contract Data Part two (Section 2) (corrected in accordance with Note 5 of Contract Data Part two (Section 2) if necessary)). The *staff rates* shall be all-inclusive rates. They shall include all costs to the *Consultant* including but not limited to staff salary, any additional payments, benefits and costs, such as people related insurance premiums, end-of-contract gratuity and mandatory provident fund, medical and dental care,

housing benefits, children education benefits, passages, etc. Office expenses, non-recoverable staff time and administrative staff who are not chargeable, together with the *Consultant's* overheads and profit, shall also be allowed for in the *staff rates*. Subject to NEC Clause 63.14, the *staff rates* will be used for the assessment of compensation events.

Note 3: An adjusted notional value for compensation events shall be calculated by adding the totals of the multiplication of all the *staff rates* calculated in accordance with Note 2 above and the respective notional man-hours for compensation events referred to in the "Guidelines on Preparation of Fee Proposal", which shall constitute the fee ceiling for the purposes of calculating payment for compensation events unless it exceeds 10% of the *Consultant's* tendered total of the Prices offered for performing the *services* and accepted by the *Employer* in which case the latter amount shall constitute the fee ceiling. For the avoidance of doubt, notwithstanding the above adjusted notional value for compensation events and fee ceiling, the *Employer* has no obligation whatsoever to implement any compensation events whether the estimated cumulative payment for compensation events before price adjustments under Option X1 exceeds the fee ceiling or not.

Note 4: Where the estimated cumulative payment for compensation events before price adjustments under Option X1 will exceed the fee ceiling determined in Note 3 above, then the *staff rates* calculated in accordance with Note 2 above shall not apply for the calculation of payment for those compensation events exceeding the fee ceiling. New *staff rates* for calculating payment for compensation events shall be agreed by negotiation based on the estimated time required to complete the compensation events, the *staff rates* calculated in accordance with Note 2 above, and the prevailing market rates at the implementation of the compensation events with conversion to the price level of the date on which this contract is due to commence. Where such negotiation fails, the *Employer* shall be at liberty to, among other options, not implement the compensation events, or instruct a third party to perform the concerned services.

Note 5: The percentage adjustment factors shall not exceed the

range of -30% to +30% and are subject to correction in accordance with DEVB TC(W) No. 5/2018 and paragraph **【Insert appropriate paragraph number】** of the “Guidelines on Preparation of Fee Proposal”.

1 General

[Applicable to Option C]

- The *activity schedule* is the document entitled “Activity Schedule” of Agreement No. **【Insert agreement no. and title】** submitted by the *Consultant* in his tender.
- The tendered total of the Prices is HK\$.....
- The *staff rates* are:

Staff category ^{Note 1}	<i>staff rates</i> ^{Note 2} (HK\$/man-hour)
Partners/Directors (P/D)	
Chief Professional Staff (CP)	
Senior Professional Staff (SP)	
Professional Staff (P)	
Assistant Professional Staff (AP)	
Technical Staff (T)	

Note 1: The minimum qualifications and experience requirements for each staff category are set out in the table below.

Note 2: The *staff rates* above shall be all-inclusive rates. They shall include all costs to the *Consultant* including but not limited to staff salary, any additional payments, benefits and costs, such as people related insurance premiums, end-of-contract gratuity and mandatory provident fund, medical and dental care, housing benefits, children education benefits, passages, etc. Office expenses, non-recoverable staff time and administrative staff who are not chargeable, together with the *Consultant's* overheads and profit, shall also be allowed for in the *staff rates*. The *staff rates* will be used for the calculation of the Time Charge for the assessment of the Price for Services Provided to Date. Subject to NEC Clause 63.14, the *staff rates* will be used for the assessment of compensation events.

**[Applicable to
AACSB
Consultancies]**

- The minimum qualifications and experience requirements for each staff category are:

Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
Partners/ Directors (P/D)	Professional Route	Corporate member of an appropriate professional institution or equivalent; and	15 years relevant post-qualification experience
Chief Professional (CP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
	Academic Route	University degree or equivalent in an appropriate discipline	17 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence
Senior Professional (SP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
	Academic Route	University degree or equivalent in an appropriate	<ul style="list-style-type: none"> 10 years relevant post-qualification experience for specialist trades, such as geology,

Agreement No. [Insert agreement no.]
 Contract Data Part two (Section 2)

[Insert agreement title]

		discipline	<p>transport, environmental science or other trades where appropriate professional institutions are not commonly in existence</p> <ul style="list-style-type: none"> • 12 years relevant post-qualification experience for other cases (see Note 【Y】)
Professional (P)	Professional Route	Corporate member of an appropriate professional institution or equivalent	<ul style="list-style-type: none"> • No additional requirement
	Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 5 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence • 7 years relevant post-qualification experience for other cases (see Note 【Z】)
Assistant Professional	Academic Route	University degree or	<ul style="list-style-type: none"> • No additional requirement

[Insert project office/department]

(AP)		equivalent in an appropriate discipline	
Technical (T)	Academic Route	Diploma or Higher Certificate or equivalent in an appropriate discipline	<ul style="list-style-type: none"> No additional requirement

Note [Y]

The weighted manpower input of Senior Professional (SP) for such cases shall not be more than 30% of the weighted manpower input of SP deployed for the consultancy services.

Note [Z]

The weighted manpower input of Professional (P) for such cases shall not be more than 30% of the weighted manpower input of P deployed for the consultancy services.

[Applicable for EACSB consultancies]

- The minimum qualifications and experience requirements for each staff category are:

Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
Partners/ Directors (P/D)	Professional Route	Corporate member of an appropriate professional institution or equivalent; and	15 years relevant post-qualification experience
Chief Professional (CP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
	Academic Route	University degree or	17 years relevant post-qualification

		equivalent in an appropriate discipline	experience for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence
Senior Professional (SP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
	Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 10 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence • 12 years relevant post-qualification experience for other cases (Route 1) (see Note 【Y】)
Professional (P)	Professional Route	Corporate member of an appropriate professional institution or equivalent	<ul style="list-style-type: none"> • No additional requirement
	Academic	A. University	<ul style="list-style-type: none"> • 5 years relevant

	Route	degree or equivalent in an appropriate discipline	<p>post-qualification experience for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence</p> <ul style="list-style-type: none"> • 7 years relevant post-qualification experience for other cases (Route 1) (see Note 【Y】)
	Academic Route	B. University degree or equivalent in other disciplines (i.e. disciplines not covered in Part A above)	<ul style="list-style-type: none"> • 7 years post-qualification experience in project coordination and/or executive support (Route 2) (see Note 【Z】)
Assistant Professional (AP)	Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • No additional requirement
Technical (T)	Academic Route	Diploma or Higher Certificate or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • No additional requirement

Note [Y]

The weighted total manpower input of Senior Professional (SP) and Professional (P) for the Route 1 shall not be more than 30% of the weighted total manpower input of SP and P deployed for the consultancy services.

Note [Z]

The weighted manpower input of P for the Route 2 shall not be more than 10% of the weighted manpower input of P deployed for the consultancy services.

- 2 Reimbursement • The *RSS on-cost rates* are

and
Remuneration
for the
Consultant's
Recruitment,
Employment
and
Management of
Resident Site
Staff
*[Applicable for
AACSB
consultancies
involving
employment of
Resident Site
Staff]*

Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to the <i>Consultant</i> by the <i>Employer</i>	<i>RSS on-cost rates</i> of each collective rank (HK\$/man-month)
R1	
R2	
R3	
R4	
R5	
R10	

[Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department.]

- The details of the collective ranks of RSS directly employed by the *Consultant* or Government staff posted to the *Consultant* by the *Employer* are in clause C2 of the *additional conditions of contract*.

- 2 Reimbursement • The *RSS on-cost rates* are

and
Remuneration
for the
Consultant's
Recruitment,
Employment
and
Management of

Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to the <i>Consultant</i> by the <i>Employer</i>	<i>RSS on-cost rates</i> of each collective rank (HK\$/man-month)[#]
R1	

Resident Site Staff
[Applicable for EACSB consultancies involving employment of Resident Site Staff]

	R2	
	R3	
	R4	
	R5	
	R10	

Remarks:

The *RSS on-cost rate* of each collective rank (except R10) shall ~~not be less than~~ be within the range of 5% to 30% of the reference average RSS cost of the corresponding collective rank given in the table in paragraph **【XX】** of the Guidelines on Preparation of Fee Proposal and are subject to correction in accordance with DEVB TC(W) No. 5/2018 and paragraph **【XX】** of the Guidelines on Preparation of Fee Proposal.

[Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department.]

- The details of the collective ranks of RSS directly employed by the *Consultant* or Government staff posted to the *Consultant* by the *Employer* are in clause C2 of the *additional conditions of contract*.

Name

Signature

in the capacity of

duly authorized to sign tenders for and on behalf of

.....

Date:

M E M O

From Secretary for Development
Ref. in DEVB(PS) 106/43
Tel. No. 3509 8739
Fax No. 2513 5608
Date 13 March 2023

To Distribution
(Attn.: _____)
Your Ref. _____
dated _____ Fax. No. _____
Total Pages 4

**DEVB Technical Circular (Works) No. 2/2016
Assessment of Consultants' Proposals**

**DEVB Technical Circular (Works) No. 5/2018
New Policy for the Selection, Appointment and Management
of Consultants under the Purview of the Engineering and
Associated Consultants Selection Board**

**Enhancement of Bidding Mechanism –
Revision of Tendering Limits for EACSB Consultancies**

To promote a more reasonable fee-bidding environment in the consultants selection exercise and safeguard against any unreasonably low bids, the enhanced bidding mechanism¹ was introduced on 28 March 2022 for trial in EACSB and AACSB consultancies with pre-tender estimates equal to or less than \$30 million. The revised mechanism was subsequently extended to cover all EACSB and AACSB (including DCSC)² consultancies via our memo ref. DEVB(PS) 106/43 dated 30 September 2022.

Review on awarded consultant fees under enhanced bidding mechanism

2. After promulgating the enhanced bidding mechanism for nearly a year, a review on the consultancy fees was recently conducted. The review shows that the enhanced bidding mechanism effectively discourages consultants from submitting unreasonably low bids, with all awarded consultancy fees reaching a reasonable and healthy level. To cope with the latest trend of the awarded consultancy fees, we consider it is time to update the tendering limits³ to safeguard the market share of small and medium-sized consultants.

¹ It introduces an enhanced fee diving control mechanism and a set of referenced staff rates for additional Services.

² For consultancies in which the adoption of referenced staff rates for additional Services is not applicable, the enhanced fee diving control mechanism shall still be adopted.

³ In accordance with the guidelines promulgated under the DEVB TC(W) No.5/2018, all EACSB listed consultants were separated into groups with pre-set tendering limits imposed under bidding restrictions.

Full Implementation with revised tendering limits for EACSB consultancies

3. Upon full implementation of the enhanced bidding mechanism, the tendering limits imposed under bidding restriction as specified in Section 2.3 of the guidelines promulgated under the DEVB TC(W) No.5/2018 will be revised as follows:

Bidding Restrictions (revised tendering limits) – Service Categories with 3 Groups

Tendering Limit	Grouping
>\$12M	Group 3
>\$6M & <=\$12M	Group 2
<=\$6M	Group 1

Bidding Restrictions (revised tendering limits) – Service Categories with 2 Groups

Tendering Limit	Grouping
>\$6M	Group 2
<=\$6M	Group 1

4. The revised tendering limits will be applied to **all** EACSB (including DCSC) consultancies with EOI submission (or T&F Proposal for one-stage process) to be invited on or after **1 April 2023**.

5. As only limited amount of cost data under the enhanced bidding mechanism is available at this stage, the current practice of preparing the pre-tender estimate without making any allowance for adoption of the enhanced bidding mechanism should still be maintained. Similarly, in estimating the notional value for the additional Services, project teams should make reference to the relevant all-inclusive time charge rates of other similar consultancies which have not made any allowance for the adoption of the enhanced bidding mechanism.

6. Project teams are advised to make sufficient allowance in their budgets to cater for the potential cost implication. If the project teams have already obtained funding or made funding applications for the consultancies, and are of the view that the adoption of the enhanced bidding mechanism may render the funding approved or under application inadequate, they should seek prior approval from DEVB for not adopting the enhanced bidding mechanism.

7. Further review will be conducted in due course to determine if appropriate adjustments should be made to the enhanced bidding mechanism.

8. Please bring this memo to the attention of the officers responsible for managing consultancies.

9. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Ms Kit-Man LI, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

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Secretary, EACSB

Internal: PAS(W)4, CAS(W)7, TL(WPR), AS(WP4)5, AS(WPR)2, E(WPR)SD

5. Please bring this memo to the attention of the project officers who are responsible for management of consultancy agreements.

6. If there are any enquiries, please feel free to contact Mr C Y Wong, AS(WP4)5 (tel. no. 3655 5282).

(Y K HO)
for Secretary for Development

Encl.

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Secretary, EACSB

Internal: PAS(W)5, CAS(W)5, CAS(W)7, AS(WP5)5, AS(WP4)5, AS(WP4)7

Template with sample Clauses for incorporating the requirements of
a Quality Site Supervision Plan (QSSP) into Assignment Brief

This Annex describes the requirements of QSSP promulgated originally in SETW's memo ref. ETWB(W)925/50/01 dated 29.1.2003. The relevant paragraphs are subsumed hereunder.

To address ICAC's concerns raised in the study of ICAC's Assignment No. 92/2001 – Site Supervision of Civil Engineering Contracts, representatives of works departments agreed, during the meeting held on 5.6.2002, to require ~~consultants~~ the Consultants to implement a QSSP for consultant-managed construction projects.

The following is a template including sample clauses to be incorporated into the Brief of a Design and Construction Assignment or a Construction Assignment requiring the ~~consultants~~ Consultants to prepare and implement a QSSP. As the template only spells out the outline requirements, project officers should develop their Brief based on the template but with the clauses modified as appropriate to suit the actual needs of their projects.

4. Description of the Assignment

4.1 The Review Stage is to:

....

4.2 The Design Stage is to:

....

(xx) identify ~~the~~ critical construction activities/stages of works, built components/modules, and structural elements and other items in the design that warrant the formulation of special site supervision requirements during construction ~~for such activities and structural elements;~~

(xy) formulate a Quality Site Supervision Plan which provides sufficient details of the site supervision arrangement.

....

5. Deliverables

5.1 The following is a list of more specific deliverables to be submitted by the Consultants and the timing of submissions. The Consultants should note that there are other more general reports or designs that need to be produced in order to fulfil their duties under this Assignment. The Consultants shall submit all deliverables to the Director's Representative (DR) and circulate to relevant parties in sufficient copies.

No.	Deliverable	Contents	No. of copies	Deadline for Submission
xx	Quality Site Supervision Plan (QSSP) (One for each works contract)	Refer to Clauses 6.1.x and 6.3.1(x)	n sets	p months from start of Design Stage <i>(departments may set separate deadlines for the Draft and the Final documents, e.g. the Draft QSSP to be submitted when design of the project or the relevant contract is being finalized and the Final QSSP to be submitted together with the finalised tender drawings/documents)</i>
xy.	Revised QSSP	Refer to Clause 6.5(xy)	q sets	Upon major modification of the QSSP during construction stage

Note: n, p and q to be specified by the project team

6. Services to be provided by the Consultants

6.1 General

....

6.1.x Upon completion of the detailed design, the Consultants are required to prepare a Quality Site Supervision Plan in accordance with clause 6.3.1(x) and their own quality management system. The Quality Site Supervision Plan and its execution shall be subject to Employer's technical audits. The ~~consultants~~ Consultants shall also review the Quality Site Supervision Plan with the site staff during the construction stage.

....

6.2 Review Stage

6.2.1 General

.....

(x) recommend a strategy for site supervision (*the ~~consultants~~ Consultants could be instructed to carry out this in conjunction with the recommendation on the construction staging and packaging of works contract, and the tendering strategy for letting out the works contract(s)*).

...

6.3 Design Stage

6.3.1 General

The Consultants shall provide the following services for the Design Stage:

....

- (x) Submit a Quality Site Supervision Plan in line with the strategy of site supervision recommended in the Review Stage, ~~and to which shall~~ include, but not limited to, the following details -
- i. A detailed site supervision arrangement ~~covering supervision of construction works within and outside the normal working hours of the RSS, as well as in the site(s) and other working area(s) outside the Site, including arrangements for supervision of construction activities that are required to be carried out outside the normal working hours of the site staff;~~
 - ii. A list of critical construction activities, ~~stages of works, built components/modules, and structural elements, etc.~~ that require special attention together with the associated supervision requirements for such items, where appropriate the level of supervision and the rank of staff who should perform the supervision of such items and/or sign the Request for Inspection Form (or a purposely made inspection form for a particular activity or test);
 - iii. If necessary, the ~~consultants~~ Consultants shall also specify for any critical construction activities, ~~stages of works, built components/modules,~~ structural elements and particular aspects or details that should be noted by the inspection officer on the Request for Inspection Form for future reference;
 - iv. A guideline on the details of inspection to be recorded for specialist works or critical elements;
 - v. ~~Methods of site supervision including application of advanced technologies, contractors' self-certification mechanism, and/or other suitable means with a view to (i) achieving effectiveness and efficiency of site supervision and (ii) enhancing site safety. Where advanced technologies are suggested, details of proposed systems/devices, workflow/procedures, operational principles, application areas, procurement methods, etc. shall be provided. For contractors' self-certification mechanism, the proposal shall include application areas, workflow/procedures, certified personnel and documentation requirements, site audit/spot checks by RSS (if required), etc.~~
 - vi. ~~Staff deployment strategy including evaluation of suitable RSS ranks to be deployed, efficiency of composition and post setting of site supervision team, applicability of shared use of RSS for multi-sites or multi-contracts cases, engagement of specialist sub-consultants for undertaking suitable site duties, and/or other suitable means with a view to attaining a reasonable size of site supervision team taking into account the current manpower situation in the market;~~
 - vii. In case it is envisaged that construction or fabrication works will be carried out outside Hong Kong, the ~~consultants~~ Consultants shall formulate

supervision requirements and inspection arrangement for such works. The ~~consultants~~ Consultants shall also prepared comprehensive guidelines to be followed by the RSS who need to conduct inspection outside Hong Kong. The guideline shall include the three minimum requirements as given below.

(a) In the event that production activities in a works contract are undertaken outside Hong Kong, the supervisory staff conducting inspections on the production sites outside Hong Kong shall, to the best of their knowledge, declare to the Engineer for the contract if the main contractor, the sub-contractor for the production activities, or any of their employees in his spouse, family member, or close relatives.

(b) Such inspection visits shall also be subject to the approval of the ~~consultants~~ Consultants. Where the contractor makes arrangement for transportation, accommodation –and entertainment including meals, such arrangement shall be agreed to by the Engineer for the contract beforehand. Other than the agreed arrangement, supervisory staff shall not be allowed to receive any form of hospitality or entertainment from the contractor during such inspection visits.

(c) Should the supervisory staff incur reimbursement –expenses in the course of inspection, all claims for reimbursement should all be made to the ~~consultants~~ Consultants in accordance with the prevailing rules and regulations for such. The Consultants will in turn seek reimbursement from the contractor -where applicable. Under no circumstances should all the staff seek reimbursement direct from the contractor.

....

6.4 Tender Stage (The Consultants shall not proceed with the Tender Stage unless and until they have received the written instruction of the Director’s Representative)

....

(xx) Where advanced technologies are adopted for site supervision and/or site safety management, the Consultants shall prepare the relevant contract provisions for incorporation in the tender documents to enable such applications to be implemented during the construction stage. The Consultants are reminded to include the relevant items in the pricing documents for payment of such applications separately.

(xy) Where contractors’ self-certification mechanism is applied to site supervision, the Consultants shall prepare the relevant contract provisions for incorporation in the tender documents, including certified personnel and documentation requirements.

6.5 Construction Stage (The Consultants shall not proceed with the Construction Stage unless and until they have received the written instruction of the Director’s Representative)

Upon receipt of instruction from the Director’s Representative to proceed with the Construction Stage work for the whole or part of the Assignment., the Consultants shall carry out the duties listed below :-

....

- (xx) provide training and refresher courses, including(*details shall be included by the project team to suit the project need*) to the site staff, the ~~consultants~~ Consultants shall also identify special training requirement regarding the supervision of critical construction activities and critical structural elements and provide the necessary training to the site staff;

- (xy) At the commencement of works, review the Quality Site Supervision Plan (QSSP) (against the activities described by the Contractor in his Quality Plan prior to the execution of works if the contractor is required to submit it under the contract), and conduct regular reviews of the QSSP with site staff subsequently, including the application of advanced technologies and contractors' self-certification mechanism, and as the need arises, and make necessary updating and modification in order to suit the actual circumstances (*this may be carried out in conjunction with the review of the resident site staff manual giving details on authorities, duties, responsibilities and contract management and works supervision procedures for the guidance of all grades of the site establishment, if there are such requirements./practice in the departments*), and the ~~consultants~~ Consultants shall report in the monthly progress report the status of implementing the QSSP and any major modifications to it as result of a review. The ~~consultants~~ Consultants shall submit a revised QSSP to the DR if there is a major revision and as requested by the DR.

....

4.8 Quality Site Supervision Plan (QSSP)

For the implementation of QSSP at Work stages 3, 4 and 5, the Consultant shall identify ~~the~~ critical construction activities/stages of works, built components/modules, and structural elements and other items –in the design that warrant the formulation of special site supervision requirements ~~for such activities and structural elements during construction.~~ The Consultant shall formulate a QSSP which provides sufficient details of the site supervision arrangement. All critical construction activities relating to architectural/building, building services, geotechnical, landscaping and structural works etc. shall be addressed in the QSSP. The Consultant shall also identify in the QSSP temporary works that are critical in terms of safety and require to provide independent checking of the temporary works in accordance with ArchSD OI No. 36/2009 TC.

4.9 Land (Miscellaneous Provisions) Ordinance [LMPO]

The Consultant shall carry out all the duties of the Employer necessary in processing the Excavation Permit (except signing the application form of Excavation Permit) and the associated monitoring action and supervision during the construction period in accordance with the requirements of the latest LMPO, conditions in the excavation permits, ASDOI No. 5/2004 of ArchSD and all relevant DEVB TC(W)s.

4.10 Describe details of the works for “Phases Subject to Incorporation” and the related Work Stages if the Assignment covers more than one phase of a project but the implementation of some of these phases has not been decided upon by the Director’s Representative at the time when submissions for the consultancy services are invited, and the clause for “Phases Subject to Incorporation” has been included in the Special Conditions of Employment.

(The following Sample Clause shall be included if sub-clause alternative (3) of the Special Condition of Employment for “Phases Subject to Incorporation” is used. Refer to Technical Reference No. 5 at Appendix 36 for background information.)

(Technical Circulars have been subsumed under the following Sample Clause which should only be updated by Works Branch of Development Bureau.)

Sample Clause

<i>Phase</i>	<i>Time for Ordering Phases Subject to Incorporation</i>	<i>Time for Completion of Phases Subject to Incorporation</i>
	<i>Column (i)</i>	<i>Column (ii)</i>
	<i>(Commencing from and including the date for commencement of the Consultancy Agreement)</i>	<i>(Calculated from and including the date of commencement in column (i))</i>
<i>Work stage 1</i>	<i>yy months</i>	<i>zz months</i>
<i>Work stage 2</i>	<i>yy months</i>	<i>zz months</i>
<i>Work stage 3</i>	<i>yy months</i>	<i>zz months</i>
<i>Work stage 4</i>	<i>yy months</i>	<i>zz months</i>
<i>Work stage 5</i>	<i>yy months</i>	<i>zz months</i>
<i>Work stage 6</i>	<i>yy months</i>	<i>zz months</i>

(The project team shall determine the actual phasing of the assignment to suit the project requirements. A standard letter of Instruction for Phases Subject to Incorporation is at Appendix 27 of the AACSB Handbook.)

4.11 The execution of the Assignment shall be in accordance with the adopted items in the Project Environmental Design Checklist. The Consultant shall give reasons in the Project Environmental Design Checklist against each of the items that he considers not applicable or cannot be adopted. The list of the adopted items shall be agreed by the Director’s representative.

The Consultant shall recommend a strategy for site supervision. The Consultant could be instructed to carry out this in conjunction with the recommendation on the construction staging and packaging of works contract, and the tendering strategy for letting out the works contract(s).

(c) Work stage 3 - Detail Design

Describe all the activities and procedures the Consultant is required to carry out during this Work stage in producing the Deliverables described in Section 5. The following sample clauses provide an indication of the sort of activities and procedures that may be required. However, for each particular assignment the wording of the clauses shall be expanded and, where necessary, further clauses shall be added, to describe exactly and in as much detail as possible what is required.

- (i) Prepare detailed designs, specifications for works, drawings, dimensions, sections, plans with such design data, calculations and other Information as may be required for the purpose of or in connection with the Assignment.
- (ii) Prepare and submit services co-ordination design drawings which shall demonstrate that the designs of the services installations and the building structure are fully co-ordinated and integrated for obtaining the approval by the Director's Representative.
- (iii) Obtain information from suppliers, if any, and take all necessary steps to obtain from them all details necessary for the timely completion of the Assignment.
- (iv) Prepare and submit list of materials and equipment selected having less than 3 probable offers.
- (v) Liaise with relevant bodies and assist with negotiations for any reprovisioning works that may be required.
- (vi) Identify all facilities and installations affected by the Assignment.
- (vii) Determine the extent of further ground investigations and surveys and further studies required to carry out the detailed design of the Assignment.
- (viii) Prepare all necessary documentation and reports on ground investigation and survey data together with interpretation of results.
- (ix) Prepare detailed designs for environmental mitigation measures.
- (x) Prepare detailed proposals as required by the Heritage Impact Assessment (HIA)
- (xi) Prepare estimates of the cost of the Assignment (*Specify the level of detail wanted and the requirements for updating*).
- (xii) Prepare papers and briefing notes which will be required for consultation or communication with community groups e.g. District Council, Rural Committees and other public organisations.
- (xiii) Submit and present the Detail Design Report which shall incorporate PQDVC's comments and set out the standards governing the design of the works for obtaining the approval by the Employer.
- (xiv) Submit a Quality Site Supervision Plan, ~~and to which shall~~ include, but not limited to, the following details :
 - i. ~~A detailed site supervision arrangement, including arrangements for supervision of construction activities that are required to be carried out outside the normal working hours of the site staff~~ covering supervision of construction works within and outside the normal working hours of the RSS, as well as in the site(s) and other working area(s) outside the Site;

- ii. A list of critical construction activities, stages of works, built components/modules, and structural elements, etc. that require special attention together with the associated supervision requirements for such items, where appropriate the level of supervision and the rank of staff who should perform the supervision of such items and/or sign the Request for Inspection Form (or a purposely made inspection form for a particular activity or test);
- iii. If necessary, the Consultant shall also specify for any critical construction activities, stages of works, built components/modules, structural elements and particular aspects or details that should be noted by the inspection officer on the Request for Inspection Form for future reference;
- iv. A guideline on the details of inspection to be recorded for specialist works or critical elements;
- v. Methods of site supervision including application of advanced technologies, contractors' self-certification mechanism, and/or other suitable means with a view to (i) achieving effectiveness and efficiency of site supervision and (ii) enhancing site safety. Where advanced technologies are suggested, details of proposed systems/devices, workflow/procedures, operational principles, application areas, procurement methods, etc. shall be provided. For contractors' self-certification mechanism, the proposal shall include application areas, workflow/procedures, certified personnel and documentation requirements, site audit/spot checks by RSS (if required), etc.
- iv.vi. Staff deployment strategy including evaluation of suitable RSS ranks to be deployed, efficiency of composition and post setting of site supervision team, applicability of shared use of RSS for multi-sites or multi-contracts cases, engagement of specialist sub-consultants for undertaking suitable site duties, and/or other suitable means with a view to attaining a reasonable size of site supervision team taking into account the current manpower situation in the market;
- v.vii. A list of temporary works that the contractor shall be required to provide for independent checking of the temporary works in accordance with ArchSD OI No. 36/2009 TC.
- vi.viii. In case it is envisaged that construction or fabrication works will be carried out outside Hong Kong, the Consultant shall formulate supervision requirements and inspection arrangement for such works.

(Guidance Note: The cost of inspection visits conducted outside Hong Kong by RSS shall be included in the lump sum fee.)

- (xv) Provide input and support on project related tasks including:
 1. handling publicity & promotion events, public enquiries & complaints
 2. coordinating with future operators/users and neighbouring owners/representatives on project related matters
 3. assisting Employer and client bureaux/departments in finalising the Engineering Conditions (EC), Schedule of Accommodation (SoA), user layouts, Furniture & Equipment Items (F&E) and project scope
 4. complying with government's latest initiatives, standards and requirements and where required to make proposals such as innovative design for enhancing construction productivity, smart asset management/operation/maintenance, Design for Manufacture and Assembly (DfMA) / Modular Integrated Construction (MiC), etc.

Identify the documents the Consultant must take cognizance of during the Assignment.

Identify other studies or projects which the Consultant must take cognizance of during the Assignment.

If alternative tenders are to be called the Consultant's involvement in assessing the alternative tenders should be stated. It should be made clear that assessment includes the assessment of any non-conforming tenders necessary to arrive at a tender recommendation.

- (iii) Organise and undertake the debriefing exercise for unsuccessful tenderers of Works Contracts according to Technical Reference No. 15 at **Appendix 36**.
- (iv) Coordinate, prepare, and provide all necessary drawings and information to assist the Employer to process the Excavation Permit according to the requirements of the latest LMPO, conditions in the excavation permits, ASDOI No. 5/2004 of ArchSD and all relevant DEVB TC(W)s.
- (v) Coordinate, prepare, and provide all necessary drawings and information to assist the Employer to complete the tender invitation process including the issue of tender addendum and answering tender queries.

(vi) **Alternative Design(s)**

(1) If alternative design(s) is/are invited from the tenderers in accordance with the requirements stipulated in Development Bureau Technical Circular (Works) No. 3/2014 or its latest version or replacement, and alternative tender(s) incorporating the tenderer's/tenderers' alternative design(s) is/are received, the Director's Representative may issue instructions to the Consultants to examine and assess the alternative tender(s) and make recommendations to the Employer for consideration and the Consultants shall examine and assess the alternative tender(s) and make recommendations to the Employer for consideration as instructed by the Director's Representative.

(2) The examination and assessment of alternative tender(s) and the provision of recommendations by the Consultants as instructed by the Director's Representative in accordance with sub-clause (1) above shall be taken as additional Services in accordance with Clause 33 of the General Conditions of Employment.

(vii) Where advanced technologies are adopted for site supervision and/or site safety management, the Consultants shall prepare the relevant contract provisions for incorporation in the tender documents to enable such applications to be implemented during the construction stage. The Consultants are reminded to include the relevant items in the pricing documents for payment of such applications separately.

(viii) Where contractors' self-certification mechanism is applied to site supervision, the Consultants shall prepare the relevant contract provisions for incorporation in the tender documents, including certified personnel and documentation requirements.

(e) Work stage 5 - Construction Supervision

Describe all the activities and procedures the Consultant is required to carry out during this Work stage in producing the Deliverables described in Section 5. The following sample clauses provide an indication of the sort of activities and procedures that may be required. The clauses may be suitable as shown but should if necessary be expanded and other clauses added, to describe exactly and in as much detail as possible what is required for the particular assignment.

- (i) Prepare and provide contract documents for signature and record purposes.
- (ii) Carry out the duties of the Supervising Officer under the terms of the Works Contracts for the construction, completion, maintenance and supply of the Contract Works which shall be deemed to include the coordinating of works carried out by public utility companies and

other government departments, bodies or persons for or in connection with or necessitated by the Assignment.

- (iii) Conduct briefing sessions to the Contractor and sub-contractors at the commencement of the Works.
- (iv) The Consultant shall provide training and refresher courses, including (details shall be included by the project team to suit the project need) to the site staff, the Consultant shall also identify special training requirement regarding the supervision of critical construction activities and critical structural elements and provide the necessary training to the site staff;

At the commencement of works, review the Quality Site Supervision Plan (QSSP) (against the activities described by the Contractor in his Quality Plan prior to the execution of works if the contractor is required to submit it under the contract), and conduct regular reviews of the QSSP with site staff subsequently, including the application of advanced technologies and contractor's self-certification mechanism, and as the need arises, and make necessary updating and modification in order to suit the actual circumstances (*this may be carried out in conjunction with the review of the resident site staff manual giving details on authorities, duties, responsibilities and contract management and works supervision procedures for the guidance of all grades of the site establishment, if there are such requirements/practice in the departments*), and the Consultant shall report in the monthly progress report the status of implementing the QSSP and any major modifications to it as a result of a review. The Consultant shall submit a revised QSSP to the DR if there is a major revision and as requested by the DR.

- (v) Excavation Permits
 - i.# The Consultant shall nominate a professional acceptable to the Employer to be named as the contact person of the Employer in applications for excavation permits and, where applicable, emergency excavation permits pursuant to the requirements of the Land (Miscellaneous Provisions) Ordinance, Cap 28.
 - ii.# (1) The Consultant shall carry out all duties imposed upon the Employer under the Land (Miscellaneous Provisions) Ordinance, Cap 28 or under the conditions of the excavation permits and, where applicable, emergency excavation permits in so far as such duties have not been imposed only on the Contractor under the Ordinance or under the Contract.
 - (2) Notwithstanding Sub-clause (1) above, the Consultant shall not be liable to the Employer in respect of obligations stipulated under the following conditions of the excavation permits and, where applicable, emergency excavation permits:
 - a. the condition stipulated in the excavation permits and, where applicable, the emergency excavation permits relating to the obligation and liability of the Permittee to indemnify the Government against all losses and claims for injury or damage to any person or property, nuisance, disruption or interference whatsoever which may arise out of or in consequence of the work of the Permittee, and against all claims, demands, proceedings, damages, costs, charges or expenses whatsoever in respect thereof or in relation thereto, and
 - b. the condition stipulated in the excavation permits and, where applicable, emergency excavation permits relating to the obligation and liability of the Permittee to make good or pay for any works as a result of or in consequence of the work of the Permittee.
 - (3) Sub-clause (2) above is without prejudice to Clause 22 of the General Conditions of Employment.
 - iii.# (1) The Consultant shall ensure that the Contractor complies with the permit conditions imposed by the Authority under the Land (Miscellaneous Provisions) Ordinance, Cap 28, including those conditions stipulated in the excavation permits and, where

(This may not be the latest version as in the CNPIS which is updated from time to time)

CONSULTANTS PERFORMANCE REPORT													
Part II - Detailed Assessment of Performance													
Item	Aspects of Performance	VG	G	S	P	VP	NA	Max. Score	Applicable Max. Score	Consultant's Score	Weighted Score		
A.	Stage Assessment												
1	Feasibility / Investigation Stage (EACSB) or Workstage 1/2 (AACSB)												
1.1	Recommendations												
(a)	<i>Quality of recommendation</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	10	0	0			
(b)	Technical consideration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	7	0	0			
(c)	Consideration of environmental friendliness, energy efficiency, health & safety, and life cycle costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
(d)	Consideration of alternatives and innovative ideas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	7	0	0			
1.2	Consultation and public engagement												
1.3	Cost estimates & quality of reports												
	Stage period :	<input type="text"/>	month(s)					40	0	0	0		
2	Design and Contract Stage (EACSB) or Workstage 3/4 (AACSB)												
2.1	Design solutions												
(a)	<i>Quality of design</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	10	0	0			
(b)	Technical consideration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
(c)	Consideration of environmental friendliness, energy efficiency, health & safety, and life cycle costs <u>other factors</u>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
(d)	Consideration of alternatives and innovative ideas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	3	0	0			
2.2	Consultation and public engagement												
2.3	Cost estimates & quality of tender documents/drawings (Note 5)												
2.4	Tender assessment												
	Stage period :	<input type="text"/>	month(s)					40	0	0	0		
3	Construction Stage (EACSB) or Workstage 5/6 (AACSB)												
3.1	<i>Supervision of contractors</i>												
3.2	Administration of contracts												
3.3	Recruitment, supervision and administration of site staff												
3.4	Financial control of contracts												
3.5	Certification of interim payments/final accounts												
3.6	Handling of contractor's claims												
3.7	Provision of record drawings/manuals/other records												
3.8	Provision of design input												
	Stage period :	<input type="text"/>	month(s)					40	0	0	0		

2.7.1 Feasibility/Investigation Stage

(a) Recommendations

(i) Quality of recommendation (*)

Criteria	Description
Methodology, judgement & constructive thoughts	Adopt appropriate methodology in accordance with established standards for the task, put forward recommendations & deliverables and identify risk, constraints and development opportunities with proper judgement and constructive thoughts
Impact assessment	Thorough impact assessment, e.g. archaeological, drainage, environmental, geotechnical, heritage, sewerage, traffic, visual, waterworks, etc.
Statutory submission & compliance	Fulfil timely and effectively <u>and punctually</u> statutory submission requirements of various ordinances and regulations and comply with all relevant statutory requirements, consultancy brief, circulars, guidelines, parameters and criteria, etc.
Recommendations & deliverables	Comply with development parameters, functional, value for money, practical, sustainable, and well-balanced recommendations & deliverables which weight favourably among technical, costs, risks, environment, health and safety, saving in manpower, public aspirations and other relevant factors

(ii) Technical consideration

Criteria	Description
Collection, interpretation and use of information & data	Collect all relevant information and data, correct interpretation and make good use of information and data collected
Research & analysis	Comprehensive research into relevant background and detailed analysis taking into account the information and data collected
Site investigation, survey and consultation	Sufficient and well-planned site survey, investigation and consultation with authorities, government departments and stakeholders
Other considerations	Visual performance, flexibility for planning, fast-tracking of works programme, mechanisation, prefabrication and other productivity enhancement, circulation efficiency, spatial and historical context, etc.

(iii) Consideration of environmental friendliness, energy efficiency, health & safety and life cycle costs

Criteria	Description
Sustainable development	Reduce usage of non-renewable resources and relate people with the natural environment
Land intake	Minimise land intake in environmentally sensitive areas
Compatibility	Recommendations & deliverables which are compatible with the surrounding environment
Enhancement	Recommendations & deliverables which enhance the affected environment and minimize health & safety hazards, <u>as well as apply the principle of “Design for Safety” effectively</u>
Mitigation measures	Adequate and effective mitigation measures to reduce environmental impact and health & safety hazards throughout construction, operation, maintenance and subsequent replacement
Renewable energy technology and energy efficient features	Adopt renewable energy technology and energy efficient feature as appropriate (DEVB TCW No. 2/2015 refers)
Life cycle costs	Recommendations & deliverables with due regard to the total cost over the project life to optimize the costs of construction, operation, maintenance and subsequent replacement with the initial project cost vis-à-vis life cycle costs reduced and expenditure programme levelled as far as practicable

(iv) Consideration of alternatives and innovative ideas

Criteria	Description
Exploration of alternatives & innovative ideas	Explore comprehensively, creatively, and imaginatively alternatives and innovative schemes
Assessment of alternatives & innovative ideas	Balance thoroughly the merits of alternatives and innovative schemes against costs, risks and impacts (including social, economical, environmental, health & safety, saving in manpower, etc.)
Application of innovative ideas	Apply innovative ideas in the recommendations & deliverables to enhance quality, mechanisation, prefabrication and other productivity enhancements, optimize costs, and minimize risks & impacts

2.7.2 Design and Contract Stage

(a) Design solutions

(i) Quality of design (*)

Criteria	Description
Design	Functional, technically sound, practical, durable, value for money and compliant with design criteria
Statutory submission & compliance	Fulfil timely and effectively <u>and punctually</u> statutory submission requirements of various ordinances and regulations and comply with all relevant statutory requirements, code of practice, consultancy brief, design codes, circulars, guidelines, parameters and criteria, etc.
Buildability	Adoption of “3-S Principle”, namely “Standardisation”, “Simplification”, “Single Integrated Elements”, incorporation of project and asset life cycle management and coordination, ease of construction, etc.
Other design considerations	Fast-tracking of works programme, circulation efficiency, aesthetics, mechanisation, maintainability, prefabrication and other productivity enhancements, etc. while balancing against other constraints, e.g. political, environment, health and safety, etc.

In case the project office identifies any serious design problem, e.g. inadequacy of design submission, significant overdesign or excessive provision, etc., a “Poor” or “Very Poor” rating shall be given, depending on the degree and extent of the problem identified.

(ii) Technical consideration

Criteria	Description
Collection, interpretation and use of information & data	Collect all relevant information and data, correct interpretation and make good use of information and data collected
Site investigation, survey and consultation	Sufficient and well-planned site survey, investigation and consultation with authorities, government departments and stakeholders
Impact assessment	Thorough impact assessment, e.g. archaeological, drainage, environmental, geotechnical, heritage, sewerage, traffic, visual, waterworks, etc.

(iii) Consideration of environmental friendliness, energy efficiency, health & safety and ~~life cycle costs~~ other factors

Criteria	Description
Sustainable construction	Reduce usage of non-renewable resources and relate people with the natural environment
Land intake	Minimise land intake in environmentally sensitive areas
Compatibility	Design solutions which are compatible with the surrounding environment
Enhancement	Design solutions which enhance the affected environment and minimize health and safety hazards, <u>as well as apply the principle of “Design for Safety” effectively</u>
Mitigation measures	Adequate and effective mitigation measures to reduce environmental impact and health & safety hazards throughout construction, operation, maintenance and subsequent replacement
Materials	Avoid using materials harmful to the environment and people
Renewable energy technology and energy efficient features	Adopt renewable energy technology and energy efficient features as appropriate (DEVB TCW No. 2/2015 refers)
Life cycle costs	Cost effective design solutions with due regards to the total cost over the project life to optimize the costs of construction, operation, maintenance and subsequent replacement with the initial project cost vis-à-vis life cycle costs reduced and expenditure programme levelled as far as practicable
<u>Site supervision arrangement (where applicable)</u>	<u>Devise effective means to (i) achieve the effectiveness and efficiency of site supervision, (ii) enhance site safety and (iii) attain a reasonable size of site supervision team</u>

For the criterion on site supervision arrangement, a “Good” or “Very Good” rating may be considered if viable solutions with adequate details can be provided in the quality site supervision plan (e.g. adoption of advanced technologies, contractors’ self-certification mechanism, sensible staff deployment strategy, etc.)

(iv) Consideration of alternatives and innovative ideas

Criteria	Description
Exploration of	Explore comprehensively, creatively, and imaginatively

	contemporaneous and traceable records of request for inspection and/or survey check
Health & safety and environmental management	Ensure contractors' compliance with the approved health & safety and environmental management plans to minimize health and safety hazards and impacts to the environment
Mitigation measures and follow-up actions	Take all necessary mitigation measures and follow-up actions promptly to ensure the quality, health & safety and environmental friendliness of the works as well as the completeness of records of requests for inspection and/or survey check

(b) Administration of contracts

Criteria	Description
Statutory submission & compliance	Fulfil timely and effectively <u>and punctually</u> statutory submission requirements of various ordinances and regulations and comply with all relevant statutory requirements, code of practice, consultancy brief, design codes, circulars, guidelines, parameters and criteria, etc.
Impartiality & thoroughness	Administer the contracts impartially and thoroughly
Progress of works	Administer the contracts in a timely and professional manner including keeping the Director's Representative well informed of progress or works, productivity, milestone events and any latest development
Variation to contract works/change to works information	Handle variation orders, changes to works information, drawings, schedules, estimates and related matters necessary for completion of the works in a timely and effective manner
Handling of complaints & enquiries	Respond effectively and efficiently to complaints and enquiries by members of public, District Councils, etc.

The project office should review whether the variations or changes to works information are related to the quality of design or tender documents/drawings in the assessment of this item.

(c) Recruitment, supervision and administration of site staff

Criteria	Description
Establishment	Propose reasonable site staff establishment for different construction stages to ensure adequate supervision throughout the construction period

Recruitment	Recruit the suitable site staff with adequate qualification and experience at appropriate timing and in an open and fair manner
Management of site staff	Effective site staff management including administration and supervision of site staff according to Director's Representative approved quality site supervision plans <u>and deployment of effective plans/means to deal with fluctuating workload.</u>
<u>Supervision quality</u>	<u>Ensure resident site staff's performance in site supervision and contract administration; adopt smart site safety system, advanced technologies and contractors' self-certification mechanism as applicable.</u>

For the criterion on supervision quality, a "Good" or "Very Good" rating may be considered if benefits are seen through the adoption of smart site safety system, advanced technologies and/or contractors' self-certification mechanism in the contract.

(d) Financial control of contracts

Criteria	Description
Measurements and expenditure	Monitor closely the measurement and expenditure of the contracts
Valuation of variations, changes to works information, claims and compensation events	Update timely-punctually the financial position including prompt valuation of variations, changes to works information, claims and compensation events
Reporting	Forecast forthcoming expenditure and keep the Director's Representative abreast of the financial position of the works contracts including the likely costs of major variations, changes to works information, claims and compensation events
Timeliness	Alert timely Director's Representative the likelihood of the approved budgetary expenditure being exceeded due to e.g. variations, changes to works information, claims, compensation events and other commitments and provide the necessary information and support

(e) Certification of interim payments/final accounts

Criteria	Description
Interim payments	Accurate and expeditious certification of interim payments
Final accounts	Accurate and expeditious preparation, settlement and certification of final accounts

(f) Handling of contractor's claims

Criteria	Description
Thoroughness, fairness and timeliness	Handle contractor's claims/compensation events/early warnings thoroughly, fairly and promptly. Prompt and detailed assessment of contractor's claims/compensation events and timely determination of the claims/compensation events in accordance with the time frame under the contract with reasons for acceptance or rejections of claims/compensation events
Reporting	Keep the Director's Representative abreast of contractor's monetary and Extension of Time claims/compensation events/early warnings and the progress in the handling of the claims/compensation events/early warnings/risk register

The project office should review the consultants' justifications for any non-compliance with the time frames for assessment of claims or compensation events in the assessment of this item.

(g) Provision of record drawings/manuals/other records

Criteria	Description
Compliance	Comply with statutory requirements, submission requirements upon completion of works, etc.
Timeliness	Efficient and timely provision of the record drawings, manuals and other records for the completion of the works
Quality	Accurate, appropriate, clear and comprehensive provision of record drawings, manuals and other records

(h) Provision of design input

Criteria	Description
Design input	Provide necessary design input during construction stage, including review of design assumptions, revisions in designs, preparation of further design, checking of contractors' design, etc., in a timely and responsible manner, <u>as well as apply the principle of "Design for Safety" effectively</u>

(This may not be the latest version as in the CNPIS which is updated from time to time)

RESTRICTED (CONTRACT)

Consultant's Performance Report

Part I - Summary of Performance		Version:								
Department :-										
<input type="text" value="Interim"/>	Report for Quarter ending	<input type="text"/>								
A. Details of Agreement										
Agreement No:	<input type="text"/>	Status:								
Agreement title:		Created date:								
Category of consultancy:		Created by:								
Type of Agreement:		Updated date:								
Consultant's Name:		Updated by:								
B. Agreement Duration and Stage										
Commencement date :		Stage of work (for Interim/Special Report):								
Original completion date : (for the whole assignment)		<table style="width:100%; border:none;"> <tr> <td style="width:50%; border:none;">Engineering</td> <td style="width:50%; border:none;">Architectural</td> </tr> <tr> <td style="border:none;"><input type="checkbox"/> Feasibility / Investigation</td> <td style="border:none;"><input type="checkbox"/> Workstage 1 / 2</td> </tr> <tr> <td style="border:none;"><input type="checkbox"/> Design and Contract</td> <td style="border:none;"><input type="checkbox"/> Workstage 3 / 4</td> </tr> <tr> <td style="border:none;"><input type="checkbox"/> Construction</td> <td style="border:none;"><input type="checkbox"/> Workstage 5 / 6</td> </tr> </table>	Engineering	Architectural	<input type="checkbox"/> Feasibility / Investigation	<input type="checkbox"/> Workstage 1 / 2	<input type="checkbox"/> Design and Contract	<input type="checkbox"/> Workstage 3 / 4	<input type="checkbox"/> Construction	<input type="checkbox"/> Workstage 5 / 6
Engineering	Architectural									
<input type="checkbox"/> Feasibility / Investigation	<input type="checkbox"/> Workstage 1 / 2									
<input type="checkbox"/> Design and Contract	<input type="checkbox"/> Workstage 3 / 4									
<input type="checkbox"/> Construction	<input type="checkbox"/> Workstage 5 / 6									
Anticipated completion date :	<input type="text"/>									
Actual completion date :	<input type="text"/>									
Reason for variation in time (for Final Report)										
<div style="border: 1px solid black; padding: 2px;"> 15000 characters remaining on your input limit </div>										
C. Fee										
*Fee basis:										
*Original Fee: \$M	<input type="text"/>	(excluding Notional Value)								
Latest Estimated Fee: \$M	<input type="text"/>	(for Interim/Special/Final Report)								
Actual Fee: \$M	<input type="text"/>	(for Final Report)								
		Reason for variation in fee (for Final Report)								
		<div style="border: 1px solid black; padding: 2px;"> 15000 characters remaining on your input limit </div>								
D. Total Performance Score (Interim or Special Report Only)										
Total Performance Score :		0								
(Please refer to Part II)										
E. Overall Assessment										
Overall Performance :	<input type="radio"/> G : Good or above <input type="radio"/> Ac : Acceptable <input type="radio"/> U : Unacceptable <input checked="" type="radio"/> NA : Not Applicable	For Interim/Special Report: A "Very Poor" grading in any critical assessment item in Part II will render the overall performance "Unacceptable". If no such item is rated "Very Poor", the overall performance will be rated according to the total performance score (TPS): G: TPS >= 70, Ac: 40 <= TPS < 70,U: TPS < 40. (The report shall be "adverse" if the overall performance is "Unacceptable") a CONSECUTIVE ADVERSE INTERIM REPORT under the Assignment. ADVERSE REPORT(BOTH INTERIM and SPECIAL) under the Assignment.(the numbering of this adverse report)								
This report is										
**This Report										
**This Report is the										

(This may not be the latest version as in the CNPIS which is updated from time to time)

F. Remarks by Reporting Officer (at a rank of senior professional or above):

Is the Consultant technically competent? (please tick as appropriate)

Yes
 No

Is the Consultant performing ethically? (please tick as appropriate)

Yes
 No

15000 characters remaining on your input limit

If the performance of the consultant is in any respect "Poor" or "Very Poor", please indicate what actions have been taken to draw the consultant's attention to their shortcomings and the consultant's responses, if any:

15000 characters remaining on your input limit

Report By:

(_____)

Title

Date

G. Countersigning by Director's Representative:

Supplementary comments, if any:

15000 characters remaining on your input limit

(_____)

Director's Representative

Title

Date

H. Endorsement by Departmental Consultants Review Committee:

Supplementary comments, if any:

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(_____)

Chairman, Consultants Review Committee

Date

*The value of this field would be updated automatically according to the information of Agreement Master until the Performance Report has been frozen.

**The value of this field would be updated automatically based on the latest record information until the Performance Report has been frozen.

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CONSULTANTS PERFORMANCE REPORT													
Part II - Detailed Assessment of Performance													
Item	Aspects of Performance	VG	G	S	P	VP	NA	Max. Score	Applicable Max. Score	Consultant's Score	Weighted Score		
A.	Stage Assessment												
1	Feasibility / Investigation Stage (EACSB) or Workstage 1/2 (AACSB)												
1.1	Recommendations												
(a)	<i>Quality of recommendation</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	10	0	0			
(b)	Technical consideration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	7	0	0			
(c)	Consideration of environmental friendliness, energy efficiency, health & safety, and life cycle costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
(d)	Consideration of alternatives and innovative ideas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	7	0	0			
1.2	Consultation and public engagement												
1.3	Cost estimates & quality of reports												
	Stage period :	<input type="text"/>	month(s)					40	0	0			0
2	Design and Contract Stage (EACSB) or Workstage 3/4 (AACSB)												
2.1	Design solutions												
(a)	<i>Quality of design</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	10	0	0			
(b)	Technical consideration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
(c)	Consideration of environmental friendliness, energy efficiency, health & safety, and other factors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
(d)	Consideration of alternatives and innovative ideas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	3	0	0			
2.2	Consultation and public engagement												
2.3	Cost estimates & quality of tender documents/drawings (Note 5)												
2.4	Tender assessment												
	Stage period :	<input type="text"/>	month(s)					40	0	0			0
3	Construction Stage (EACSB) or Workstage 5/6 (AACSB)												
3.1	<i>Supervision of contractors</i>												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	8	0	0			
3.2	Administration of contracts												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	6	0	0			
3.3	Recruitment, supervision and administration of site staff												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
3.4	Financial control of contracts												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
3.5	Certification of interim payments/final accounts												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0			
3.6	Handling of contractor's claims												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	4	0	0			
3.7	Provision of record drawings/manuals/other records												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	3	0	0			
3.8	Provision of design input												
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	4	0	0			
	Stage period :	<input type="text"/>	month(s)					40	0	0			0

(This may not be the latest version as in the CNPIS which is updated from time to time)

B General Assessment												
4 Aspects for General Assessment												
4.1	<i>Programming, progress reports and adherence to programme</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	8	0	0	
4.2	<i>Competency & adequacy of staff</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	10	0	0	
4.3	<i>Achievement of objectives and targets</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	8	0	0	
4.4	Effectiveness in surmounting problems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	6	0	0	
4.5	Familiarization with and adherence to Government requirements and procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0	
4.6	Participation and responsiveness of principals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	5	0	0	
4.7	Management of sub-consultants / Liaison with other consultants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	4	0	0	
4.8	Planning, preparation and management of site investigation/field works	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	4	0	0	
4.9	Relationship between consultants and the managing department	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	4	0	0	
4.10	Public relations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	3	0	0	
4.11	Adoption of Building Information Modelling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	3	0	0	
									60	0	0	0
									Performance Score		0	
									Bonus Score		0	
									Total Performance Score		0	

General Notes:

1. Mark appropriate box of performance (i.e. VG, G, S, P, VP) for each applicable item with "x".
2. Put "x" in the "NA" column for inapplicable items.
3. Fill in "Stage period" in months (to one decimal place) for the stage(s) in the quarter.
4. Critical assessment items are shown in bold italics (i.e. item 1.1(a), 2.1(a), 3.1, 4.1, 4.2 and 4.3). A "Very Poor" rating in any of these items will render the overall performance "Unacceptable".
5. Item 2.3 is a critical assessment item for Quantity Surveying (QS) consultancies only.
6. The performance scores displayed are rounded to 1 decimal place.
7. A bonus score will be added to the performance score if 3 or more of the following items are rated "G" or "VG":
 - (a) For Feasibility Study/Investigation Agreements and Design & Construction Agreements with Feasibility/Investigation Stage (EACSB) or Workstage 1/2 (AACSB):
 - Items 1.1(a), 1.1(b), 1.1(c), 1.1(d) and 4.2
 - (b) For Design & Construction Agreements and Feasibility Study/Investigation Agreements with Design and Contract Stage (EACSB) or Workstage 3/4 (AACSB):
 - Items 2.1(a), 2.1(b), 2.1(c), 2.1(d) and 4.2
 - (c) For AACSB QS Consultancy Agreements (Workstage 5/6):
 - Items 3.2, 3.4, 3.5, 3.6 and 4.2

Details of the bonus score system are given in Section 2.7.5 of the Guidance Notes in Appendix B of DEVB TC(W) No. 3/2016.

Notes of computing Performance Score:

1. Max scores are predetermined weightings assigned to the item (could not be changed)
2. For applicable items, applicable max. score = max. score. For "NA" item, applicable max. score = 0
3. Grade Consultant's Score

VG (Very Good)	1.00 x applicable max score
G (Good)	0.75 x applicable max score
S (Satisfactory)	0.50 x applicable max score
P (Poor)	0.25 x applicable max score
VP (Very Poor)	0 x applicable max score

Legend:

(#) EM & A: Environmental Monitoring & Audit

**Guidance Notes for Completion of
Consultants' Performance Reports**

1. General

- 1.1 Consultants' performance reports should be completed with accurate and concise information, highlighting the consultants' strengths and weaknesses. The performance assessment of consultants in a consultancy agreement will be done by means of Interim Reports, a Final Report, and in exceptional circumstances, Special Reports using the same report form. These notes serve to provide guidelines in completing the performance reports.

2. Interim Report

- 2.1 Interim Reports shall be completed for quarters ending March/June/September/December. The report consists of two parts: Part I - Summary of Performance and Part II - Detailed Assessment of Performance. The Part II is further divided into two parts, i.e. the stage assessment and the general assessment. The stage assessment will focus on the aspects of performance specific to an individual stage of the assignment whereas the general assessment will focus on the aspects common to all stages. The Reporting Officer shall complete sections on all applicable stages relevant to the consultancy agreement and the section on the general assessment.
- 2.2 An Interim Report is required irrespective of whether the reporting period, during which the consultancy assignment is in progress, covers the entire quarter. For example, if an agreement was completed in February, an Interim Report shall still be submitted for reporting the consultant's performance in January and February, together with a separate Final Report as described in paragraph 3 below.
- 2.3 An Interim Report should also be submitted even if no detailed assessment could be made due to various reasons, such as no appreciable activity being carried out by the consultant or the assignment being suspended during the reporting quarter. To facilitate easy and quick lodging of such "no activity" or "no assessment" reports, the assessment aspects in Part II of the report are set by default as "NA". The Reporting Officer should include, in Section F of the report, a concise reason of submitting such a "no activity" or "no assessment" report. For such reports, no performance score will be computed. For consultancy under suspension which is registered in the CNPIS, the system will generate "NA" Interim Report automatically. Notwithstanding the above, if a consultant does not perform satisfactorily even when the required input is not significant, the procuring department should submit an Interim Report with proper assessment to reflect the poor performance.
- 2.4 Part I - Summary of Performance

2.4.1 Section A – Details of Agreement

The name of the consultant has to be selected from the list given in the CNPIS (approach the System administrator if no one on the list matches the name of the appointed consultant) and it should be the same as that appearing in the Memorandum of Agreement. If the consultancy agreement is awarded to a joint venture, all consultants in the joint venture should be identified. The User Manual

(which could be downloaded from the system) of CNPIS should be consulted regarding the way of treating joint ventures in the CNPIS.

2.4.2 Section B - Agreement Duration and Stage

Stage of work It refers to the stage of work to which the Interim Report applies. More than one stage may exist in the same reporting period.

Anticipated/Actual completion The anticipated completion date should be the latest forecast of the likely completion date based on an assessment of the actual progress and anticipated progress on uncompleted services. The actual completion date will be the date by which the Director's Representative is satisfied that the consultant has completed all necessary services under the agreement.

2.4.3 Section C – Fee (million) (some of the information will be captured automatically by the CNPIS from information kept under “Agreement Enquiry”)

Fee basis Lump sum /time charge /scale/percentage to be indicated

Original fee For lump sum fee basis, it refers to the approved lump sum fee as indicated in the Fee Proposal of the consultant. For time charge fee basis, it refers to the estimated fee based on the approved time charge rates and the notional time or the approved time charge ceiling as appropriate. For scale or percentage fee basis, it refers to the fee based on the agreed fee scale and the estimated construction cost. The original fee to be stated in this section need not include the approved fee ceiling for additional services.

Latest estimated fee The latest estimate of the final fee.

Actual fee The actual fee shall be reported in the Final Report. It shall be the final amount paid or payable to the consultant for the Agreement but excluding all out-of-pocket money paid to the consultant on reimbursement basis (i.e. it will include the lump sum, payment for additional services, price adjustment, RSS on-cost and etc.). If the final account has not yet been settled due to unsettled claims or other reasons, while the services under the assignment has been completed by the consultant, the Final Report could still be submitted, and in such case the Reporting Office should report here the latest estimate of the final fee taking into account all factors known at the time.

2.4.4 Section D – Total Performance Score

Upon completion of the detailed assessment in Part II of the report form, the CNPIS will calculate the total performance score and transfer it to this Section. The marking system is described in paragraph 2.5.

2.4.5 Section E - Overall Assessment (generated automatically by CNPIS based on the following criteria)

- (a) A "Very Poor" grading in any of the critical items (see paragraph 2.7 and Part II of the report form) will render the overall performance "Unacceptable", and hence an adverse report, irrespective of the total performance score.
- (b) If no critical assessment item is graded "Very Poor", the total performance score will determine the grading of the overall performance. The overall performance will be "Unacceptable" if the total performance score is less than 40 and the report will thus be classified as adverse. A "Good or above" grading should be given when the total performance score reaches 70 or above. In between, an "Acceptable" grading will be given.
- (c) The CNPIS will automatically classify whether a report is "adverse" or not based on (a) and (b) above. If the report concerned is adverse, the CNPIS will automatically extract from the database if this is a consecutive adverse report and the total number of adverse reports, including the one being prepared.
- (d) If no assessment was made on any aspects in Part II of the report, the overall grading will be taken as "NA".

2.4.6 Section F – Remarks by Reporting Officer

The Reporting Officer shall be an officer of a rank of senior professional or above. He/she should provide general comments on the consultant's performance in the reporting period. Elaboration should also be given for any aspects graded as "Very Good", "Good", "Poor" or "Very Poor". In case of an adverse report, reasons shall be given to substantiate the assessment.

2.4.7 Section G – Countersigning by Director's Representative

The Director's Representative shall review the assessment made by the Reporting Officer and satisfy himself/herself that the assessment is substantiated with evidence, particularly in the case of an adverse report.

2.4.8 Section H – Endorsement by Departmental Consultants Review Committee

The report should be endorsed by the Consultants Review Committee (CRC) of the department.

2.4.9 All parts of the Consultant's Performance Report shall be copied to the consultant to ensure transparency of the report system.

2.5 Marking System

2.5.1 The performance grading for individual aspect shall have the following meaning: -

VG (Very Good) denotes that the performance has been significantly and consistently better than that required by the Agreement.

G (Good)	denotes that the performance has consistently met and occasionally exceeded that required by the Agreement.
S (Satisfactory)	denotes that the performance has on average generally attained that required by the Agreement.
P (Poor)	denotes that the performance is below that required by the Agreement, though without serious deficiencies; or where instructions/reminders have to be repeatedly issued and the work has consistently to be redone in order to attain a satisfactory level; or the performance could only attain that required by the Agreement through enhanced supervision effort from the project office.
VP (Very Poor)	denotes that the performance is significantly below that required by the Agreement; or where instructions/reminders have to be repeatedly issued and the work has consistently to be redone but is still unable to attain a satisfactory level.

2.5.2 Intermediate grading is not allowed.

2.5.3 The scores for the various grades are:

<i>Grade</i>	<i>Scores</i>
Very Good (VG)	1.00 x applicable maximum score
Good (G)	0.75 x applicable maximum score
Satisfactory (S)	0.50 x applicable maximum score
Poor (P)	0.25 x applicable maximum score
Very Poor (VP)	0.00 x applicable maximum score

2.5.4 Each assessment item is assigned with a pre-determined "maximum score", which could not be changed, to reflect its weighting in the performance assessment.

2.5.5 Some assessment items may not be applicable. The Reporting Officer could mark such item(s) "NA" in the report (Part II). The corresponding "applicable maximum scores" for such item will then be set zero. For applicable items, the "applicable maximum score" will be equal to the "maximum score" for that item. The consultant's score for an assessment item is calculated by multiplying the rating of the grade (e.g. 0.5 for "Satisfactory") with the "applicable maximum score".

2.5.6 Stage Assessment

- (a) The procuring departments should complete their assessment under the appropriate stage(s) of the performance report form according to the type of agreement they have indicated or the nature of the assignment.
- (b) The maximum score for the stage assessment is 40 marks. The period of each stage, in case of multi-stage or other applicable situations, should be indicated in the "stage period" (in months rounded off to the 1st decimal place) in Part II of the report.

Single Stage Period

- (c) If there is only one stage in the whole quarter, a single-stage score will be computed out of a total of 40 marks, regardless of whether the report or the concerned stage occupy the entire 3 month reporting period.

For example, assume that some "NA" items exist such that:
total applicable maximum score = 32, and
the consultant's total score = 20.

The consultant's total score for the stage assessment has to be adjusted to the 40-mark level accordingly,
i.e. $20/32 \times 40 = 25$, hence, the "adjusted score" = 25 for the stage assessment.

Multi-stage Period

- (d) In case there is more than one stage in the same quarter (either two or more stages carried out sequentially or a few stages carried out in parallel during the reporting quarter), the "adjusted scores" of respective stages will be computed with regard to the relative proportion of the stage concerned. Therefore, the stage period to be entered in Part II of the report for such case shall be the relative weights for each stage rather than the actual time span. The Reporting Officer may however need to assess the relative proportion taking into account resources deployed and other factors applicable for each stage (consultant's comments on this may be invited, if necessary, before completing the report form).

For example, assume that:

<i>Stage</i>	<i>Stage Period</i>	<i>Consultant's Score</i>
Investigation	1 month	30
Construction	3 months	36

Then, for Investigation Stage,
adjusted score = $30 \times 1/(1+3) = 7.5$, and

for Construction Stage,
adjusted score = $36 \times 3/(1+3) = 27$.

The combined adjusted score for the stage assessment = $7.5 + 27 = 34.5$.

- (e) For a consultancy agreement with a number of projects proceeding at different stages during the same reporting period, the Reporting Officer should consolidate the performance assessment in each stage by taking all projects in that stage as a whole for consideration. The Reporting Officer may need to consider the weight of individual project under the same consultancy and produce the report for submission.

2.5.7 General Assessment

The maximum score for the general assessment is 60 marks. The "adjusted score" will be the consultant's score under this section adjusted to the 60-mark level for "NA" items as illustrated in paragraph 2.4.6(c) above for the stage assessment. It is further noted that in some specialist assignments, the Reporting Officer may consider none of the stage assessment aspects relevant, hence the assessment is only given against the aspects in the general assessment section. In such exceptional case, the performance score shall be adjusted to the 100-mark level.

2.5.8 Performance Score

The performance score is the sum of the adjusted scores of the stage assessment and general assessment.

2.5.9 Total Performance Score

The total performance score is the sum of the performance score and the bonus score. It will determine the grading of the overall performance in Section E of Part I (refer to paragraph 2.4.5).

- 2.6 As mentioned in paragraph 2.5.6(a), departments shall determine the appropriate stage of an assignment, including the Environmental Monitoring & Audit (EM&A) assignments or any other assignments that are different in nature from a conventional engineering or architectural assignment. Nonetheless, as EM&A assignment is becoming more frequently engaged, it is referred to, in the following paragraphs, as an example of assessing it as an investigation assignment to illustrate how the performance aspects could flexibly apply to consultancy assignments of different nature. The Reporting Officer could also assess the consultant's performance using assessment aspects of different stages by setting a relative proportion of the different stages involved to suit assignments of different nature. However, for maintaining uniformity, the maximum score for each assessment aspect shall not be changed.

2.7 Guidance Notes for Part II – Detailed Assessment of Performance

The following guidance notes are provided to facilitate the assessment of individual aspect in Part II. Items with asterisk (*) are critical assessment items as mentioned in paragraph 2.4.5(a). A "Very Poor" grading in any of these critical items will result in an "Unacceptable" grading for the overall performance.

As this report is only for assessing the performance of the consultant with whom the consultancy agreement is entered. Discount should not be applied to the grading of the main consultant for any problem that is entirely due to the non-performance of sub-consultants who are not parties of the agreement. Nevertheless, in such case the ability of the main consultant in managing their sub-consultants would be questionable and should be examined by the Reporting Officer.

2.7.1 Feasibility/Investigation Stage

(a) Recommendations

(i) Quality of recommendation (*)

Criteria	Description
Methodology, judgement & constructive thoughts	Adopt appropriate methodology in accordance with established standards for the task, put forward recommendations & deliverables and identify risk, constraints and development opportunities with proper judgement and constructive thoughts
Impact assessment	Thorough impact assessment, e.g. archaeological, drainage, environmental, geotechnical, heritage, sewerage, traffic, visual, waterworks, etc.
Statutory submission & compliance	Fulfil effectively and punctually statutory submission requirements of various ordinances and regulations and comply with all relevant statutory requirements, consultancy brief, circulars, guidelines, parameters and criteria, etc.
Recommendations & deliverables	Comply with development parameters, functional, value for money, practical, sustainable, and well-balanced recommendations & deliverables which weight favourably among technical, costs, risks, environment, health and safety, saving in manpower, public aspirations and other relevant factors

(ii) Technical consideration

Criteria	Description
Collection, interpretation and use of information & data	Collect all relevant information and data, correct interpretation and make good use of information and data collected
Research & analysis	Comprehensive research into relevant background and detailed analysis taking into account the information and data collected
Site investigation, survey and consultation	Sufficient and well-planned site survey, investigation and consultation with authorities, government departments and stakeholders
Other considerations	Visual performance, flexibility for planning, fast-tracking of works programme, mechanisation, prefabrication and other productivity enhancement, circulation efficiency, spatial and historical context, etc.

(iii) Consideration of environmental friendliness, energy efficiency, health & safety and life cycle costs

Criteria	Description
Sustainable development	Reduce usage of non-renewable resources and relate people with the natural environment
Land intake	Minimise land intake in environmentally sensitive areas
Compatibility	Recommendations & deliverables which are compatible with the surrounding environment
Enhancement	Recommendations & deliverables which enhance the affected environment and minimize health & safety hazards, as well as apply the principle of “Design for Safety” effectively
Mitigation measures	Adequate and effective mitigation measures to reduce environmental impact and health & safety hazards throughout construction, operation, maintenance and subsequent replacement
Renewable energy technology and energy efficient features	Adopt renewable energy technology and energy efficient feature as appropriate (DEVB TCW No. 2/2015 refers)
Life cycle costs	Recommendations & deliverables with due regard to the total cost over the project life to optimize the costs of construction, operation, maintenance and subsequent replacement with the initial project cost vis-à-vis life cycle costs reduced and expenditure programme levelled as far as practicable

(iv) Consideration of alternatives and innovative ideas

Criteria	Description
Exploration of alternatives & innovative ideas	Explore comprehensively, creatively, and imaginatively alternatives and innovative schemes
Assessment of alternatives & innovative ideas	Balance thoroughly the merits of alternatives and innovative schemes against costs, risks and impacts (including social, economical, environmental, health & safety, saving in manpower, etc.)
Application of innovative ideas	Apply innovative ideas in the recommendations & deliverables to enhance quality, mechanisation, prefabrication and other productivity enhancements, optimize costs, and minimize risks & impacts

(b) Consultation and public engagement

Criteria	Description
Consultation	Consult and incorporate as appropriate comments from authorities, government departments and stakeholders
Public engagement	Sufficient and well organized public engagement activities
Collaboration of public inputs	Collaborate public inputs and resolve objections efficiently and effectively
Consultation materials	Consultation materials including presentation materials, models, animation, drawings, plans and figures which are legible, appealing to the readers, allowing the readers to visualize conceptual schemes proposed and in layman's terms which are also suitable for the general public

The assessment should be based on the consultants' performance in the process of consultation and public engagement, i.e. whether the consultant has diligently considered all stakeholders' views and come up with balanced recommendations. The assessment on consultants' performance should not be based only on the end results.

(c) Cost estimates & quality of reports

Criteria	Description
Cost estimates	Comprehensive, realistic, up-to-date and accurate (excluding factors outside consultants' control) with sufficient details to support the recommendations & deliverables including any cost reduction and expenditure levelling
Presentation	Clear, concise and convincing presentation in the reports and with sufficient details to support the recommendations & deliverables
Drawings, plans and figures	Drawings, plans and figures which are legible, appealing to the readers and allowing the readers to visualize conceptual schemes proposed in the recommendations & deliverables
Timeliness	Submit reports in time to meet the original programme

2.7.2 Design and Contract Stage

(a) Design solutions

(i) Quality of design (*)

Criteria	Description
Design	Functional, technically sound, practical, durable, value for money and compliant with design criteria
Statutory submission & compliance	Fulfil effectively and punctually statutory submission requirements of various ordinances and regulations and comply with all relevant statutory requirements, code of practice, consultancy brief, design codes, circulars, guidelines, parameters and criteria, etc.
Buildability	Adoption of “3-S Principle”, namely “Standardisation”, “Simplification”, “Single Integrated Elements”, incorporation of project and asset life cycle management and coordination, ease of construction, etc.
Other design considerations	Fast-tracking of works programme, circulation efficiency, aesthetics, mechanisation, maintainability, prefabrication and other productivity enhancements, etc. while balancing against other constraints, e.g. political, environment, health and safety, etc.

In case the project office identifies any serious design problem, e.g. inadequacy of design submission, significant overdesign or excessive provision, etc., a “Poor” or “Very Poor” rating shall be given, depending on the degree and extent of the problem identified.

(ii) Technical consideration

Criteria	Description
Collection, interpretation and use of information & data	Collect all relevant information and data, correct interpretation and make good use of information and data collected
Site investigation, survey and consultation	Sufficient and well-planned site survey, investigation and consultation with authorities, government departments and stakeholders
Impact assessment	Thorough impact assessment, e.g. archaeological, drainage, environmental, geotechnical, heritage, sewerage, traffic, visual, waterworks, etc.

(iii) Consideration of environmental friendliness, energy efficiency, health & safety and other factors

Criteria	Description
Sustainable construction	Reduce usage of non-renewable resources and relate people with the natural environment
Land intake	Minimise land intake in environmentally sensitive areas
Compatibility	Design solutions which are compatible with the surrounding environment
Enhancement	Design solutions which enhance the affected environment and minimize health and safety hazards, as well as apply the principle of “Design for Safety” effectively
Mitigation measures	Adequate and effective mitigation measures to reduce environmental impact and health & safety hazards throughout construction, operation, maintenance and subsequent replacement
Materials	Avoid using materials harmful to the environment and people
Renewable energy technology and energy efficient features	Adopt renewable energy technology and energy efficient features as appropriate (DEVB TCW No. 2/2015 refers)
Life cycle costs	Cost effective design solutions with due regards to the total cost over the project life to optimize the costs of construction, operation, maintenance and subsequent replacement with the initial project cost vis-à-vis life cycle costs reduced and expenditure programme levelled as far as practicable
Site supervision arrangement (where applicable)	Devise effective means to (i) achieve the effectiveness and efficiency of site supervision, (ii) enhance site safety and (iii) attain a reasonable size of site supervision team

For the criterion on site supervision arrangement, a “Good” or “Very Good” rating may be considered if viable solutions with adequate details can be provided in the quality site supervision plan (e.g. adoption of advanced technologies, contractors’ self-certification mechanism, sensible staff deployment strategy, etc.)

(iv) Consideration of alternatives and innovative ideas

Criteria	Description
Exploration of alternatives & innovative ideas	Explore comprehensively, creatively, and imaginatively alternatives and innovative schemes

Assessment of alternatives & innovative ideas	Balance thoroughly the merits of alternatives and innovative schemes against costs, risks and impacts (including environmental, drainage, traffic, saving in manpower, etc.)
Application of innovative ideas	Apply innovative ideas in the design solutions to enhance quality, mechanisation, prefabrication and other productivity enhancements, optimize costs, and minimize risks & impacts

(b) Consultation and public engagement

Criteria	Description
Consultation	Consult and incorporate as appropriate comments from authorities, government departments and stakeholders
Public engagement	Sufficient and well organized public engagement activities
Collaboration of public inputs	Collaborate public inputs and resolve objections efficiently and effectively
Consultation materials	Consultation materials including presentation materials, models, animation, drawings, plans and figures which are legible, appealing to the readers, allowing the readers to visualize conceptual schemes proposed and in layman's terms which are also suitable for the general public

The assessment should be based on the consultants' performance in the process of consultation and public engagement, i.e. whether the consultant has diligently considered all stakeholders' views and come up with balanced recommendations/design solutions. The assessment on consultants' performance should not be based only on the end results.

(c) Cost estimates & quality of tender documents/drawings (*)¹

Criteria	Description
Cost estimates	Comprehensive, realistic, up-to-date and accurate (excluding factors outside consultants' control) with sufficient details to support the recommendations & deliverables including any cost reduction and expenditure levelling
Contract arrangements	Select the most suitable contract packaging arrangements and types of contract for the works
Consultation	Consult and incorporate as appropriate comments from authorities, government departments and stakeholders

Quality	Contract documents and drawings which are complete, adequate and comprehensive for the works
Timeliness	Submit contract documents in time to meet the construction programme

(*)¹ Become a critical assessment item for Quantity Surveying consultancies.

(d) Tender assessment

Criteria	Description
Compliance	Comply with statutory requirements, tender assessment procedures, etc.
Technical support	Adequate technical support in facilitating a thorough tender assessment
Evaluation and recommendations	Thorough evaluation and sound recommendations with due regard to all relevant factors and considerations

2.7.3 Construction Stage

(a) Supervision of contractors (*)

Criteria	Description
Role as the Engineer/Architect/Supervising Officer/Surveyor/Project Manager/Project Manager's Delegate/Services Manager/Supervisor	Adequately fulfil the role as the Engineer/Architect/Supervising Officer/Surveyor/Project Manager/Project Manager's Delegate/Services Manager/Supervisor in the works contracts
Supervision and quality management	Perform close supervision of contractors and works according to Director's Representative approved quality site supervision plans to check that the contractors have met their obligations (including due submission of records of request for inspection and/or survey check) and delivered the works to the requisite specifications, standards, productivity enhancements and quality. Ensure timely signing-off and proper documentation of contemporaneous and traceable records of request for inspection and/or survey check
Health & safety and environmental management	Ensure contractors' compliance with the approved health & safety and environmental management plans to minimize health and safety hazards and impacts to the environment

Mitigation measures and follow-up actions	Take all necessary mitigation measures and follow-up actions promptly to ensure the quality, health & safety and environmental friendliness of the works as well as the completeness of records of requests for inspection and/or survey check
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(b) Administration of contracts

Criteria	Description
Statutory submission & compliance	Fulfil effectively and punctually statutory submission requirements of various ordinances and regulations and comply with all relevant statutory requirements, code of practice, consultancy brief, design codes, circulars, guidelines, parameters and criteria, etc.
Impartiality & thoroughness	Administer the contracts impartially and thoroughly
Progress of works	Administer the contracts in a timely and professional manner including keeping the Director's Representative well informed of progress or works, productivity, milestone events and any latest development
Variation to contract works/change to works information	Handle variation orders, changes to works information, drawings, schedules, estimates and related matters necessary for completion of the works in a timely and effective manner
Handling of complaints & enquiries	Respond effectively and efficiently to complaints and enquiries by members of public, District Councils, etc.

The project office should review whether the variations or changes to works information are related to the quality of design or tender documents/drawings in the assessment of this item.

(c) Recruitment, supervision and administration of site staff

Criteria	Description
Establishment	Propose reasonable site staff establishment for different construction stages to ensure adequate supervision throughout the construction period
Recruitment	Recruit suitable site staff with adequate qualification and experience at appropriate timing and in an open and fair manner
Management of site staff	Effective site staff management including administration and supervision of site staff according to Director's Representative approved quality site supervision plans and deployment of effective plans/means to deal with fluctuating workload.

Supervision quality	Ensure resident site staff’s performance in site supervision and contract administration; adopt smart site safety system, advanced technologies and contractors’ self-certification mechanism as applicable.
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For the criterion on supervision quality, a “Good” or “Very Good” rating may be considered if benefits are seen through the adoption of smart site safety system, advanced technologies and/or contractors’ self-certification mechanism in the contract.

(d) Financial control of contracts

Criteria	Description
Measurements and expenditure	Monitor closely the measurement and expenditure of the contracts
Valuation of variations, changes to works information, claims and compensation events	Update punctually the financial position including prompt valuation of variations, changes to works information, claims and compensation events
Reporting	Forecast forthcoming expenditure and keep the Director’s Representative abreast of the financial position of the works contracts including the likely costs of major variations, changes to works information, claims and compensation events
Timeliness	Alert timely Director’s Representative the likelihood of the approved budgetary expenditure being exceeded due to e.g. variations, changes to works information, claims, compensation events and other commitments and provide the necessary information and support

(e) Certification of interim payments/final accounts

Criteria	Description
Interim payments	Accurate and expeditious certification of interim payments
Final accounts	Accurate and expeditious preparation, settlement and certification of final accounts

(f) Handling of contractor’s claims

Criteria	Description
Thoroughness, fairness and timeliness	Handle contractor’s claims/compensation events/early warnings thoroughly, fairly and promptly. Prompt and detailed assessment of contractor’s claims/compensation events and timely determination of the claims/compensation events in accordance with the time frame under the contract with reasons for acceptance or rejections of claims/compensation events

Reporting	Keep the Director’s Representative abreast of contractor’s monetary and Extension of Time claims/compensation events/early warnings and the progress in the handling of the claims/compensation events/early warnings/risk register
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The project office should review the consultants’ justifications for any non-compliance with the time frames for assessment of claims or compensation events in the assessment of this item.

(g) Provision of record drawings/manuals/other records

Criteria	Description
Compliance	Comply with statutory requirements, submission requirements upon completion of works, etc.
Timeliness	Efficient and timely provision of the record drawings, manuals and other records for the completion of the works
Quality	Accurate, appropriate, clear and comprehensive provision of record drawings, manuals and other records

(h) Provision of design input

Criteria	Description
Design input	Provide necessary design input during construction stage, including review of design assumptions, revisions in designs, preparation of further design, checking of contractors’ design, etc., in a timely and responsible manner, as well as apply the principle of “Design for Safety” effectively
Quality of design	Quality of design input during construction stage; or design issues identified during construction stage that reflect the quality of design developed at design stage

In case the project office identifies any serious problem associated with the design developed by the consultants, a “Poor” or “Very Poor” rating shall be given, depending on the degree and extent of the problem identified.

2.7.4 General

(a) Programming, progress reports and adherence to programme (*)²

Criteria	Description
Programme, updates and progress report	Provide regular, realistic, adequate clear and accurate programme, programme updates and progress reports, as appropriate in relation to the assignment and the project as a whole
Major critical activities and floats	Provide realistic programme by substantiating the time allowed in major critical activities and appropriate allocation of floats and time risk allowances in the programme
Adherence to programme	Adhere to programme to ensure that the milestones are achieved in a timely manner
Role as the Engineer/Architect/Supervising Officer/Surveyor/Project Manager/Project Manager's Delegate/Services Manager/Supervisor	Fulfil the role as the Engineer/Architect/Supervising Officer/ Surveyor/Project Manager/Project Manager's Delegate/Services Manager/Supervisor in relation to progress and programme of the contracts by thoroughly examining contractors' programme; closely monitoring the contractor's progress and taking prompt action to minimise any delay or better still recover any time lost; alerting the Director's Representative in advance the possible risk to the programme induced by any unforeseen factor

(*)² The assessment should not simply be based on the comparison between the latest programme and the baseline programme. However, in case of substantial programme slippage, reasons (e.g. factors outside the control of the consultants) should be given for not assigning the "Very Poor" grading to this criterion.

(b) Competency & adequacy of staff (*)

Criteria	Description
Qualified and experienced staff	Allocate adequate and appropriate qualified and experienced staff to the relevant posts for the assignment
Staffing proposal and manpower input	Adhere to the committed staffing proposal and manpower input
Performance	Devote the necessary amount of time and effort by the consultants' staff to the assignment to achieve the required performance

(c) Achievement of objectives and targets (*)

Criteria	Description
Objectives and targets	Fulfil the scope and achieve the objectives and targets of the Brief

(d) Effectiveness in surmounting problems

Criteria	Description
Prevention of problems	Capability in identifying potential problems so as to minimize problems from happening
Problems solving	Take the lead promptly in putting forward effective solutions to resolve problems

(e) Familiarization with and adherence to Government requirements and procedures

Criteria	Description
Government requirements and procedures	Familiar with and adhere to Government policies, procedures, technical memoranda, technical circulars, and design standards that have bearing on the project

(f) Participation and responsiveness of principals

Criteria	Description
Participation and responsiveness	At least one Partner or Director takes active interest in the assignment to the extent of attending relevant meetings with Government, and being fully conversant with the progress and relevant aspects of the assignment

(g) Management of sub-consultants / Liaison with other consultants

Criteria	Description
Effective management / Effective liaison	Manage effectively the performance of sub-consultants / Liaise effectively with other consultants
Coordination of sub-consultants' activities and works / Coordination of other consultants' work	Coordinate effectively the activities and works of sub-consultants / Coordinate effectively the work of and input from other consultants
Response to complaints / queries from Director's Representative	Respond promptly and efficiently to any complaints / queries from the Director's Representative relating to the services of the sub-consultants / other consultants

(h) Planning, preparation and management of site investigation/field works

Criteria	Description
Planning & preparation	Plan site investigation, field works and prepare proposals in appropriate and timely manner
Management	Proper administration of site investigation, field works and laboratory testing contracts

(i) Relationship between consultants and the managing department

Criteria	Description
Relationship with managing department	Approachable, helpful and maintain good working relationship with the managing department
Claim attitude	Maintain reasonable claim attitude

(j) Public relations

Criteria	Description
Presentation materials and attending external meetings	Provide adequate presentation materials and appropriate staff to attend meetings with statutory bodies, boards, council, committee and other public organizations
Relationship with the general public	Maintain good relationship with relevant public bodies, community organizations and the general public

(k) Adoption of Building Information Modelling (BIM)

Criteria	Description
BIM uses	Applicability and functionality meet the project requirements (e.g. facilitates project planning and decision making)
Quality	The BIM model contains sufficient details with accuracy and is optimal for project coordination throughout different project stages effectively
Timeliness	The BIM model is developed / updated in a timely manner that reflects the actual project progress

2.7.5 Bonus Score System

- (a) For (i) Feasibility Study / Investigation Agreements and (ii) Design & Construction Agreements with Feasibility / Investigation Stage (EACSB) or Workstage 1/2 (AACSB)

Total number of “G” or “VG” ratings in Items 1.1(a), 1.1(b), 1.1(c), 1.1(d) and 4.2	Bonus Score
3 “G” or “VG” ratings	3
4 “G” or “VG” ratings	4
5 “G” or “VG” ratings	5

- (b) For (i) Design & Construction Agreements and (ii) Feasibility Study / Investigation Agreements with Design and Contract Stage (EACSB) or Workstage 3/4 (AACSB)

Total number of “G” or “VG” ratings in Items 2.1(a), 2.1(b), 2.1(c), 2.1(d) and 4.2	Bonus Score
3 “G” or “VG” ratings	3
4 “G” or “VG” ratings	4
5 “G” or “VG” ratings	5

- (c) For AACSB Quantity Surveying Consultancy Agreements [Workstage 5/6]

Total number of “G” or “VG” ratings in Items 3.2, 3.4, 3.5, 3.6 and 4.2	Bonus Score
3 “G” or “VG” ratings	3
4 “G” or “VG” ratings	4
5 “G” or “VG” ratings	5

Notes:

- 1) If the original performance score is less than 40, a bonus score shall not be applied to calculate the total performance score.
- 2) In case there is more than one stage in the same quarter, a bonus score from either one of the stages, whichever is greater, will be given disregarding the relative proportion of the stages concerned. Hence, the maximum bonus score to be granted is capped at 5 (i.e. from only one of the stages).

3. Final Report

3.1 The Final Report is a summary of the consultant's overall performance on the completion of the assignment as a whole and serves as a general post-completion review of consultants' strength and shortcomings. Only Part I of the report is required to be completed and completion of Part II is not needed, and the Final Report will not be used in formulating the consultant's Past Performance Rating. The Final Report should be submitted together with the last Interim Report upon completion or termination of an assignment.

3.2 Variation in Time and Fee

Reasons should be given for substantial variations in fee, cost and/or programme for the agreement. Comments should be included on any problems in negotiating fees with the consultant for additional services and achieving original programme and budget.

3.3 Assessment

The grading in Section E should be based on the overall assessment of performance over the duration of the agreement. The grading should be briefly elaborated in Section F.

In the remarks/comments' sections, the assessment officers should indicate whether they are satisfied with the consultant's performance, and highlight any specific qualities, strong points and/or major shortcomings with a view to enabling the consultants to seek continuous improvements.

In assessing the overall performance, for a consultant whose performance has initially been unsatisfactory but subsequently improved sufficiently to complete the assignment, significance of issues and effect on the outcome should be taken into account in the assessment.

4. Special Report

4.1 In exceptional circumstances, e.g. upon identifying a major default of the consultant or any serious incident regarding adverse performance of the consultant in an assignment (in most cases the incident concerned happened in a previous reporting period hence the need of a Special Report in addition to the quarterly Interim Report) the procuring department should submit a Special Report on the performance of the consultant. Completion of a Special Report shall be the same as that for an Interim Report. The CRC of the procuring department should consider if regulating action should be taken against the consultants in accordance with paragraph 22 in Annex I of this Circular.

4.2 A Special Report may be submitted between the submission of the quarterly Interim Report and even after the submission of a Final Report, if warranted. The procuring department should elaborate on the incident covered in the Special Report in sufficient detail. In very exceptional cases, more than one Special Report can be lodged in a quarter if warranted.

Full Mark Approach for Assessment of Expression of Interest Submissions and Technical Proposals

4. To prevent over-specification of qualification and experience requirement and to avoid fierce competition among consultants in providing experienced professional staff with a view to scoring high marks in their technical proposal, a full mark approach is introduced. For such assessment items, if the consultant is able to meet the pre-set quantitative specifications, full marks will be given. The relevant requirements to be incorporated into the AACSB Handbook are given in **Annex B**. Procuring bureaux/departments should seek prior approval from DEVB if the full mark approach is not adopted.

Avoid Using Headcount of Professional Members as an Assessment Criterion

5. As a reminder, procuring bureaux/departments should avoid using headcount of professional members to be deployed in the consultancy as an assessment criterion of the marking scheme (e.g. 1 mark per R.A./R.P.S./R.P.E., etc.). The relevant requirement to be incorporated into the AACSB Handbook is given in **Annex C**. If procuring bureaux/departments intend to adopt such assessment criterion, they should provide justification for seeking DEVB's prior approval.

Implementation

6. The above measures shall apply to all AACSB consultancies with EOI submission or T&F Proposals (for one-stage procurement process) to be invited on or after **28 November 2022**. For agreements with EOI or T&F Proposals already invited or to be invited before this date, the new measures may be applied where practicable.

7. Please bring this memo to the attention of project officers responsible for the procurement, administration and management of consultancy agreements.

8. If you have any enquiries, please contact Ms Serena Yue, AS(WP4)6 (tel. no. 3509 7749).

(Y K HO)
for Secretary for Development

Encl.

Distribution (w/encl.)

DArchS (Attn: Mr Michael Li)
DB (Attn: Mr W C Tam)
DSW (Attn: Mr Alan Yung)
DHA (Attn: Mr Paul Au)
D of Lands (Attn: Mr Martin Lee)
SED (Attn: Mr Samuel Fan)
SCST (Attn: Mr Edwin Wong)

c.c. (w/encl.)

DCED (Attn: Mr Harry Ma)
D of DS (Attn: Mr Peter Chui)
DEMS (Attn: Mr Y F Cheung)
D of Hy (Attn: Mr W K Ng)
DWS (Attn: Mr S W Chau)
DAFC (Attn: Dr Jackie Yip)
DEP (Attn: Mr Andy Chan)
D of Plan (Attn: Ms Maggie Chin)
C for T (Attn: Mr Tony Yau)
D of H (Attn: Mr Daniel Leung)
STL (Attn: Mr Kelvin Ng)
H/EKEO (Attn: Mr K C King)
LA(W) (Attn: Ms. Ada Chen)
Secretary, AACSB
Secretary, EACSB

Internal

CAS(W)7, AS(WPR)2, AS(WP4)5, AS(WP4)6, AS(WP4)7

Reference	Updates			
Annex D of Appendix 5.1; Annex 3 to Appendix 34 and Appendix 37 of AACSB Handbook	The table showing the requirements of minimum academic/professional qualifications and experience for staff categories of Senior Professional (SP) and Professional (P) are amended as below (changes highlighted in <i>bold and italic</i>):			
	Staff category	<i>Route</i>	Minimum academic / professional qualifications	Minimum experience requirement
	Partners/ Directors (P/D)	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-qualification experience (applicable to professional membership only)
	Chief Professional (CP)	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
		<i>Academic Route</i>	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post-qualification experience
	Senior Professional (SP)	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
		<i>Academic Route</i>	<i>University degree or equivalent in an appropriate discipline</i>	<ul style="list-style-type: none"> • 10 years relevant post-qualification experience <i>for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence</i> • 12 years relevant post-qualification experience <i>for other cases (see Note #)</i>

Reference	Updates			
	Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
	Professional (P)	Professional Route	Corporate member of an appropriate professional institution or equivalent	No additional requirement
		Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 5 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • 7 years relevant post-qualification experience for other cases (see Note ##)
	Assistant Professional (AP)	Academic Route	University degree or equivalent in an appropriate discipline	No additional requirement
	Technical (T)	Academic Route	Diploma or Higher Certificate or equivalent in an appropriate discipline	No additional requirement
	<p>Note #: <i>The weighted manpower input of Senior Professional (SP) for such cases shall not be more than 30% of the weighted manpower input of SP deployed for the consultancy services.</i></p> <p>Note ##: <i>The weighted manpower input of Professional (P) for such cases shall not be more than 30% of the weighted manpower input of P deployed for the consultancy services.</i></p>			

Reference	Updates										
Main Content in Sections 3.4.1 and 3.10(a) of AACSB Handbook	<p>1. The first paragraph of Section 3.4.1(a) of AACSB Handbook shall be revised as below:</p> <p>“Consultants who have submitted Expression of Interest shall be assessed and shortlisted based on the set of pre-determined criteria and the corresponding weightings as shown in the table below. In particular, “Full Marks Approach” will be adopted for assessing selection criteria (iii) and (iv). Full marks will be attained by consultant if the consultant is able to meet quantitative specifications to be set out by the Assessment Panel. However, each assessment panel member shall individually assess whether the quantitative specifications have been met.”</p> <p>2. The selection criteria (iii) and (iv) in the table of Section 3.4.1(a) of AACSB Handbook shall be revised as below:</p> <p>Selection criterion (iii) - “Previous relevant experience both in Hong Kong and elsewhere ^{Note 3}”; and Selection criterion (iv) - “Knowledge, experience and capability of core personnel ^{Note 4}”.</p> <p>3. New notes shall be added in Section 3.4.1(a) of AACSB Handbook as below:</p> <p>“Note 3 : For attaining full mark (i.e. grade VG) in selection criterion (iii), a consultant shall possess experience in [5] or more relevant consultancy assignments in local or non-local building projects of similar scope and complexity and completed by the Consultant within [10] years on or before the original or the extended Expression of Interest submission closing date. The quantitative specifications as agreed by the Assessment Panel should be included in the invitation documents. Likewise, the selection criteria for the other grades shall be determined accordingly. Same set of selection criteria shall be adopted in both the Expression of Interest and the Technical and Fee Proposals invitation documents. The format of marking guideline may be as follows (for illustrative purpose only):</p> <table border="1" data-bbox="432 1688 1394 1935"> <thead> <tr> <th data-bbox="432 1688 1145 1738">No. of relevant consultancies involved</th> <th data-bbox="1145 1688 1394 1738">Grade</th> </tr> </thead> <tbody> <tr> <td data-bbox="432 1738 1145 1787">[5] or more</td> <td data-bbox="1145 1738 1394 1787">VG</td> </tr> <tr> <td data-bbox="432 1787 1145 1836">[3] to [4]</td> <td data-bbox="1145 1787 1394 1836">G</td> </tr> <tr> <td data-bbox="432 1836 1145 1886">[1] to [2]</td> <td data-bbox="1145 1836 1394 1886">F</td> </tr> <tr> <td data-bbox="432 1886 1145 1935">0</td> <td data-bbox="1145 1886 1394 1935">P</td> </tr> </tbody> </table> <p><i>[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]”</i></p>	No. of relevant consultancies involved	Grade	[5] or more	VG	[3] to [4]	G	[1] to [2]	F	0	P
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0	P										

Reference	Updates																				
	<p>“Note 4 : For attaining full mark (i.e. grade VG) in selection criterion (iv), a core personnel (including staff down to Team Leaders) shall possess certain minimum qualification and experience, e.g. a staff belonging to Partner/Director Category as Project Manager, and shall have not less than [20] years post qualification experience and not less than [5] relevant job references as agreed by the Assessment Panel. The quantitative specifications as agreed by the Assessment Panel should be included in the invitation documents. Likewise, the selection criteria for the other grades shall be determined accordingly. Same mark shall be allocated to the core personnel under the same designation.</p> <p>The procuring department shall specify the minimum number of core personnel (including those of sub-consultants if applicable) and their respective designations in the Expression of Interest invitation documents. If the number of core personnel proposed by the consultant for a particular designation is more than that specified in the invitation documents, the average marks attained by the core personnel for that particular designation would be adopted in tender assessment. If the number of core personnel proposed by the consultant for a particular designation is less than that specified in the invitation documents, the core personnel proposed will be marked based on the relevant selection criteria while the core personnel missing in the submission will be graded “P”.</p> <p>Same set of selection criteria shall be adopted in both the Expression of Interest and the Technical and Fee Proposals invitation documents. The format of marking guideline may be as follows (for illustrative purpose only):</p> <table border="1" data-bbox="331 1444 1490 1749"> <thead> <tr> <th data-bbox="336 1451 675 1529">Core Personnel</th> <th data-bbox="675 1451 1013 1529">Post Qualification Experience</th> <th data-bbox="1013 1451 1377 1529">Relevant Job Reference</th> <th data-bbox="1377 1451 1485 1529">Grade</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 1529 675 1574">[Project Manager]</td> <td data-bbox="675 1529 1013 1574">Not less than [20] years</td> <td data-bbox="1013 1529 1377 1574">Not less than [5] projects</td> <td data-bbox="1377 1529 1485 1574">VG</td> </tr> <tr> <td data-bbox="336 1574 675 1619">(Mark: XX%)</td> <td data-bbox="675 1574 1013 1619">Not less than [18] years</td> <td data-bbox="1013 1574 1377 1619">Not less than [3] projects</td> <td data-bbox="1377 1574 1485 1619">G</td> </tr> <tr> <td data-bbox="336 1619 675 1664">Minimum number: [1]</td> <td data-bbox="675 1619 1013 1664">Not less than [15] years</td> <td data-bbox="1013 1619 1377 1664">Not less than [1] project</td> <td data-bbox="1377 1619 1485 1664">F</td> </tr> <tr> <td data-bbox="336 1664 675 1749">Minimum qualification of a [P/D] category</td> <td colspan="2" data-bbox="675 1664 1377 1749">Fail to provide the core personnel or meet the standard above</td> <td data-bbox="1377 1664 1485 1749">P</td> </tr> </tbody> </table> <p><i>[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]”</i></p> <p>4. New sentence shall be added at the end of the first paragraph in Section 3.10(a) of AACSB Handbook as below:</p>	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade	[Project Manager]	Not less than [20] years	Not less than [5] projects	VG	(Mark: XX%)	Not less than [18] years	Not less than [3] projects	G	Minimum number: [1]	Not less than [15] years	Not less than [1] project	F	Minimum qualification of a [P/D] category	Fail to provide the core personnel or meet the standard above		P
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Minimum qualification of a [P/D] category	Fail to provide the core personnel or meet the standard above		P																		

Reference	Updates
	<p>“In particular, “Full Marks Approach” will be adopted for assessing the criteria of “Consultant’s experience” and the items of “Staff organization chart”, “Relevant experience and qualifications of core personnel” and “Responsibility and degree of involvement of named staff in the professional category or above” under the criteria of “Staffing”. Full marks will be attained by consultant if the consultant is able to meet quantitative specifications to be set out by the Assessment Panel. However, each assessment panel member shall individually assess whether the quantitative specifications have been met.</p>

Reference	Updates																											
Annex VII to Appendix 3.1 of AACSB Handbook	<p>1. New paragraphs shall be added after the Guidance Note in Annex VII to Appendix 3.1 of AACSB Handbook as below:</p> <p>“For Item 3 above, for attaining full mark (i.e. grade VG), a consultant shall possess experience in [5] or more relevant consultancy assignments in local or non-local building projects of similar scope and complexity and completed by the Consultant within [10] years on or before the original or the extended Expression of Interest submission closing date.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>No. of relevant consultancies involved</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>[5] or more</td> <td>VG</td> </tr> <tr> <td>[3] to [4]</td> <td>G</td> </tr> <tr> <td>[1] to [2]</td> <td>F</td> </tr> <tr> <td>0</td> <td>P</td> </tr> </tbody> </table> <p><i>[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]</i></p> <p>For Item 4 above, for attaining full mark (i.e. grade VG), a consultant shall provide the minimum number of core personnel who should possess the corresponding minimum qualification and experience as mentioned in the tables below. Same mark shall be allocated to the core personnel under the same designation.</p> <p>If the number of core personnel proposed by the consultant for a particular designation is more than that specified in the invitation documents, the average marks attained by the core personnel for that particular designation would be adopted in tender assessment. If the number of core personnel proposed by the consultant for a particular designation is less than that specified in the invitation documents, the core personnel proposed will be marked based on the relevant selection criteria while the core personnel missing in the submission will be graded “P”.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Core Personnel</th> <th>Post Qualification Experience</th> <th>Relevant Job Reference</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td rowspan="4">[Project Manager] (Mark: XX%) Minimum number: [1]^ Minimum qualification of a [P/D] category</td> <td>Not less than [20] years</td> <td>Not less than [5] projects</td> <td>VG</td> </tr> <tr> <td>Not less than [18] years</td> <td>Not less than [3] projects</td> <td>G</td> </tr> <tr> <td>Not less than [15] years</td> <td>Not less than [1] project</td> <td>F</td> </tr> <tr> <td colspan="2">Fail to provide the core personnel or meet the standard above</td> <td>P</td> </tr> </tbody> </table>	No. of relevant consultancies involved	Grade	[5] or more	VG	[3] to [4]	G	[1] to [2]	F	0	P	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade	[Project Manager] (Mark: XX%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG	Not less than [18] years	Not less than [3] projects	G	Not less than [15] years	Not less than [1] project	F	Fail to provide the core personnel or meet the standard above		P
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Reference	Updates			
	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade
	[Project Director] (Mark: YY%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG
		Not less than [18] years	Not less than [3] projects	G
		Not less than [15] years	Not less than [1] project	F
		Fail to provide the core personnel or meet the standard above		P
	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade
	[Team Leader] (Mark: ZZ%) Minimum number: [3]^ Minimum qualification of a [CP] category	Not less than [18] years (professional); or Not less than [23] years (academic)	Not less than [5] projects	VG
		Not less than [15] years (professional); or Not less than [20] years (academic)	Not less than [3] projects	G
		Not less than [12] years (professional); or Not less than [17] years (academic)	Not less than [1] project	F
		Fail to provide the core personnel or meet the standard above		P
		^ The minimum number of core personnel includes those from the sub-consultants.		
	[Guidance Note: The sum of XX, YY and ZZ shall be 100. Add additional tables if required. In addition, the job reference in local or non-local building projects of similar scope and complexity to be counted as relevant may be elaborated to suit the specific nature of project where appropriate.]			
	[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]			
	The minimum qualification and experience requirements of individual categories of staff are shown in the table below. Only the qualification and experience obtained by the proposed staff on or before the closing date of submission of Expression of Interest for the tender shall be counted.			

Reference	Updates			
	Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
	Partners/ Directors (P/D)	Professional Route	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-qualification experience (applicable to professional membership only)
	Chief Professional (CP)	Professional Route	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
		Academic Route	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post-qualification experience
	(N.B: Include other categories of staff if required.)”			

Reference	Updates
Appendix 5.1 of AACSB Handbook	<ol style="list-style-type: none"> <li data-bbox="343 212 1439 302">1. Table 1 of Annex D of Appendix 5.1 of AACSB Handbook shall be revised as in Annex A of this memo. <li data-bbox="343 347 1439 481">2. The description of Section (1) in paragraph 3 – Assessment Criteria of Annex E of Appendix 5.1 of AACSB Handbook shall be revised as below and the associated sub-sections (1)(a) and (1)(b) shall be deleted. “(1) CONSULTANT’S EXPERIENCE ^(See Note 1)” <li data-bbox="343 638 1439 1153">3. The descriptions of sub-sections (6)(a), (6)(b) and (6)(c) in paragraph 3 – Assessment Criteria of Annex E of Appendix 5.1 of AACSB Handbook shall be revised as below: Sub-section (6)(a) – “staff organization chart ^(See Note 8)”; Sub-section (6)(b) – “relevant experience and qualifications of core personnel ^{(See Note 8(a))}”; and Sub-section (6)(c) – “responsibility and degree of involvement of named staff in the professional category or above ^{(See Note 8(b))}”. <li data-bbox="343 1209 1439 1601">4. The General Notes in paragraph 3 – Assessment Criteria of Annex E of Appendix 5.1 of AACSB Handbook shall be revised as below: “<i>[Notes 1 to 8(b) to be included in these “Guidelines on the Preparation of Technical Proposals”]</i>”; and “<i>[Note 9 for departments’ reference only in the preparation of these Guidelines]</i>” <li data-bbox="343 1646 1439 2072">5. The Note 1 in paragraph 3 – Assessment Criteria of Annex E of Appendix 5.1 of AACSB Handbook shall be revised as below: “<u>Note 1</u> For attaining full mark (i.e. grade VG), a consultant shall possess experience in [5] or more relevant consultancy assignments in local or non-local building projects of similar scope and complexity and completed by the Consultant within [10] years on or before the original or the extended Technical and Fee (“T&F”) Proposals submission closing date.

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	<p>the consultant for a particular designation is less than that specified in the invitation documents, the core personnel proposed will be marked based on the relevant selection criteria while the core personnel missing in the submission will be graded “P”.</p>			
	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade
	[Project Manager] (Mark: XX%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG
		Not less than [18] years	Not less than [3] projects	G
		Not less than [15] years	Not less than [1] project	F
		Fail to provide the core personnel or meet the standard above		P
	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade
	[Project Director] (Mark: YY%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG
		Not less than [18] years	Not less than [3] projects	G
		Not less than [15] years	Not less than [1] project	F
		Fail to provide the core personnel or meet the standard above		P
	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade
	[Team Leader] (Mark: ZZ%) Minimum number: [3]^ Minimum qualification of a [CP] category	Not less than [18] years (professional); or Not less than [23] years (academic)	Not less than [5] projects	VG
		Not less than [15] years (professional); or Not less than [20] years (academic)	Not less than [3] projects	G
		Not less than [12] years (professional); or	Not less than [1] project	F

Reference	Updates												
		Not less than [17] years (academic)											
		Fail to provide the core personnel or meet the standard above	P										
<p>^ <i>The minimum number of core personnel includes those from the sub-consultants.</i></p> <p><i>[Guidance Note: The sum of XX, YY and ZZ shall be 100. Add additional tables if required. In addition, the job reference in local or non-local building projects of similar scope and complexity to be counted as relevant may be elaborated to suit the specific nature of project where appropriate.]</i></p> <p><i>[Guidance Note: Moreover, the procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]</i></p> <p>Note 8(b)</p> <p>For attaining full mark (i.e. grade VG), a consultant shall propose at least [80%] of the weighted total manpower input to be named staff in the professional category or above (i.e. including staff category of Professional, Senior Professional, Chief Professional and Partners/Directors).</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="background-color: #D3D3D3;">Degree of Involvement (X)</th> <th style="background-color: #D3D3D3;">Grade</th> </tr> </thead> <tbody> <tr> <td>X >= [80]%</td> <td>VG</td> </tr> <tr> <td>[60]% <= X < [80]%</td> <td>G</td> </tr> <tr> <td>[40]% <= X < [60]%</td> <td>F</td> </tr> <tr> <td>X < [40]%</td> <td>P</td> </tr> </tbody> </table> <p>where X is calculated by using the following formula:</p> $\frac{\text{Weighted manpower input of named staff in the professional category or above}}{\text{Weighted total manpower input}} \times 100\% = X$ <p><i>[Guidance Note: the procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]</i></p> <p>8. The Note 10 in paragraph 3 – Assessment Criteria of Annex E of Appendix 5.1 of AACSB Handbook shall be deleted.</p>				Degree of Involvement (X)	Grade	X >= [80]%	VG	[60]% <= X < [80]%	G	[40]% <= X < [60]%	F	X < [40]%	P
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Reference	Updates						
Appendix 6 of AACSB Handbook	<p>1. The second paragraph in paragraph 3 of Appendix 6 of AACSB Handbook shall be revised as below:</p> <p>“For selection criteria “Consultant’s Experience” and “Staffing” which adopt the “Full Marks Approach”, full marks should normally be given if the quantitative specifications set out by the Assessment Panel in paragraphs 4(a) to 4(d) below are able to be met as assessed by the Assessment Panel Members. For other selection criteria not adopting the “Full Marks Approach”, if the Brief or other relevant requirements are just fulfilled, a “fair” grading at most should normally be given.”</p> <p>2. The description and numerical value (Y) of Section (1) in paragraph 4 of Appendix 6 of AACSB Handbook shall be revised as below and the associated sub-sections (1)(i) and (1)(ii) shall be deleted.</p> <table border="1" data-bbox="414 918 1388 1041"> <thead> <tr> <th data-bbox="414 918 877 963"><u>Section</u></th> <th data-bbox="877 918 1228 963"><u>Numerical Value (Y)</u></th> <th data-bbox="1228 918 1388 963"><u>Weighting</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="414 963 877 1041">(1) Consultant’s Experience</td> <td data-bbox="877 963 1228 1041">5</td> <td data-bbox="1228 963 1388 1041">5%</td> </tr> </tbody> </table> <p>3. The descriptions of sub-sections (6)(i), (6)(ii) and (6)(iii) in paragraph 4 of Appendix 6 of AACSB Handbook shall be revised as below:</p> <p>Sub-section (6)(i) – “Staff organization chart”</p> <p>Sub-section (6)(ii) – “Relevant experience and qualifications of core personnel”; and</p> <p>Sub-section (6)(iii) – “Responsibility and degree of involvement of named staff in the professional category or above”.</p> <p>4. New paragraphs 4(a) to 4(d) shall be added in Appendix 6 of AACSB Handbook as below:</p> <p>“4(a). Guidelines for the assessment of “Consultant’s experience”</p> <p>For attaining full mark (i.e. grade VG), a consultant shall possess experience in [5] or more relevant consultancy assignments in local or non-local building projects of similar scope and complexity and completed by the Consultant within [10] years on or before the original or the extended Technical and Fee (“T&F”) Proposals submission closing date.</p>	<u>Section</u>	<u>Numerical Value (Y)</u>	<u>Weighting</u>	(1) Consultant’s Experience	5	5%
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	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade
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		Fail to provide the core personnel or meet the standard above		P
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	[Project Director] (Mark: YY%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG
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	[Team Leader] (Mark: ZZ%) Minimum number: [3]^ Minimum qualification of a [CP] category	Not less than [18] years (professional); or Not less than [23] years (academic)	Not less than [5] projects	VG
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	<p data-bbox="411 255 1433 434"><i>[Guidance Note: The sum of XX, YY and ZZ shall be 100. Add additional tables if required. In addition, the job reference in local or non-local building projects of similar scope and complexity to be counted as relevant may be elaborated to suit the specific nature of project where appropriate.]</i></p> <p data-bbox="411 495 1433 627"><i>[Guidance Note: Moreover, the procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]</i></p> <p data-bbox="411 687 1433 768">4(d). Guidelines for the assessment of “Responsibility and degree of involvement of named staff in the professional category or above”</p> <p data-bbox="411 828 1433 1005">For attaining full mark (i.e. grade VG), a consultant shall propose at least [80%] of the weighted total manpower input to be named staff in the professional category or above (i.e. including staff category of Professional, Senior Professional, Chief Professional and Partners/Directors).</p> <table border="1" data-bbox="430 1061 1428 1261"> <thead> <tr> <th data-bbox="430 1061 1061 1104">Degree of Involvement (X)</th> <th data-bbox="1061 1061 1428 1104">Grade</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 1104 1061 1146">X>=[80]%</td> <td data-bbox="1061 1104 1428 1146">VG</td> </tr> <tr> <td data-bbox="430 1146 1061 1189">[60]%<=X<[80]%</td> <td data-bbox="1061 1146 1428 1189">G</td> </tr> <tr> <td data-bbox="430 1189 1061 1232">[40]%<=X<[60]%</td> <td data-bbox="1061 1189 1428 1232">F</td> </tr> <tr> <td data-bbox="430 1232 1061 1261">X<[40]%</td> <td data-bbox="1061 1232 1428 1261">P</td> </tr> </tbody> </table> <p data-bbox="411 1317 1094 1350">where X is calculated by using the following formula:</p> $ \frac{\text{Weighted manpower input of named staff in the professional category or above}}{\text{Weighted total manpower input}} \times 100\% = X $ <p data-bbox="411 1603 1433 1736"><i>[Guidance Note: the procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]</i></p>	Degree of Involvement (X)	Grade	X>=[80]%	VG	[60]%<=X<[80]%	G	[40]%<=X<[60]%	F	X<[40]%	P
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Appendix 34 of AACSB Handbook	<ol style="list-style-type: none"> <li data-bbox="347 215 1441 293">1. Table 1 in Attachment IV to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as in Annex A of this memo. <li data-bbox="347 353 1441 577">2. The description of Section (2) in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as below and the associated sub-sections (2)(a) and (2)(b) shall be deleted. “(2) CONSULTANT’S EXPERIENCE (See Note 2)” <li data-bbox="347 734 1441 1301">3. The descriptions of sub-sections (3)(a), (3)(b) and (3)(c) in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as below: Sub-section (3)(a) – “staff organization chart (See Note 7)”; Sub-section (3)(b) – “relevant experience and qualifications of core personnel (See Note 7(a))”, and Sub-section (3)(c) – “responsibility and degree of involvement of named staff in the professional category or above (See Note 7(b))”. <li data-bbox="347 1361 1441 1771">4. The General Notes in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as below: “[Notes 1 to 7(b) to be included in these “Guidelines on the Preparation of Technical Proposals”]”; and “[Note 9 for departments’ reference only in the preparation of these Guidelines]”. <li data-bbox="347 1832 1441 2101">5. The Note 2 in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as below: <u>Note 2</u> For attaining full mark (i.e. grade VG), a consultant shall possess experience in

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	<p>[5] or more relevant consultancy assignments in local or non-local building projects of similar scope and complexity and completed by the Consultant within [10] years on or before the original or the extended Technical and Fee (“T&F”) Proposals submission closing date.</p> <table border="1"> <thead> <tr> <th>No. of relevant consultancies involved</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>[5] or more</td> <td>VG</td> </tr> <tr> <td>[3] to [4]</td> <td>G</td> </tr> <tr> <td>[1] to [2]</td> <td>F</td> </tr> <tr> <td>0</td> <td>P</td> </tr> </tbody> </table> <p><i>[Guidance Note: the procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]”</i></p> <p>6. The Note 7 in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as below:</p> <p><u>“Note 7</u></p> <p>The pre-set descriptions for the four different grades are follows:</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>Very efficient and effective staff organization with strong teams of experts and professionals and comprehensive communication and collaboration platforms</td> <td>VG</td> </tr> <tr> <td>Efficient and effective staff organization with well-defined teams of experts and professionals and suitable communication and collaboration platforms</td> <td>G</td> </tr> <tr> <td>Fair staff organization showing reasonable teams of experts and professionals and communication and collaboration platforms</td> <td>F</td> </tr> <tr> <td>No information or a poor staff organization</td> <td>P</td> </tr> </tbody> </table> <p>”</p> <p>7. New notes shall be added in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook as below:</p> <p><u>“Note 7(a)</u></p> <p>For attaining full mark (i.e. grade VG), a consultant shall provide the minimum number of core personnel who should possess the corresponding minimum qualification and experience as mentioned in the tables below. Same mark shall be allocated to the core personnel under the same designation.</p>	No. of relevant consultancies involved	Grade	[5] or more	VG	[3] to [4]	G	[1] to [2]	F	0	P	Description	Grade	Very efficient and effective staff organization with strong teams of experts and professionals and comprehensive communication and collaboration platforms	VG	Efficient and effective staff organization with well-defined teams of experts and professionals and suitable communication and collaboration platforms	G	Fair staff organization showing reasonable teams of experts and professionals and communication and collaboration platforms	F	No information or a poor staff organization	P
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	<p>8. The Note 8 in paragraph 3 – Assessment Criteria in “Guidelines on the Preparation of Technical Proposal” in Attachment V to Invitation Letter in Annex 3 of Appendix 34 of AACSB Handbook shall be revised as “Not used”.</p> <p>9. The second paragraph in paragraph 3 of Annex 4 of Appendix 34 of AACSB Handbook shall be revised as below:</p> <p>“For selection criteria “Consultant’s Experience” and “Staffing” which adopt the “Full Mark Approach”, full marks should normally be given if the quantitative specifications set out by the Assessment Panel in paragraphs 4(a) to 4(d) below are able to be met as assessed by the Assessment Panel Members. For other selection criteria not adopting the “Full Mark Approach”, if the Brief or other relevant requirements are just fulfilled, a “fair” grading at most should normally be given.”</p> <p>10. The description and numerical value (Y) of Section (2) in paragraph *4 of Annex 4 of Appendix 34 of AACSB Handbook for “Typical Formula Approach” shall be revised as below and the associated sub-sections (2)(i) and (2)(ii) shall be deleted.</p> <table border="0" data-bbox="414 1209 1388 1310"> <thead> <tr> <th><u>Section</u></th> <th><u>Numerical Value (Y)</u></th> <th><u>Weighting</u></th> </tr> </thead> <tbody> <tr> <td>(2) Consultant’s Experience</td> <td>35</td> <td>35%</td> </tr> </tbody> </table> <p>11. The description and numerical value (Y) of Section (2) in paragraph *4 of Annex 4 of Appendix 34 of AACSB Handbook for “Modified Formula Approach” shall be revised as below and the associated sub-sections (2)(i) and (2)(ii) shall be deleted.</p> <table border="0" data-bbox="414 1601 1388 1702"> <thead> <tr> <th><u>Section</u></th> <th><u>Numerical Value (Y)</u></th> <th><u>Weighting</u></th> </tr> </thead> <tbody> <tr> <td>(2) Consultant’s Experience</td> <td>25</td> <td>25%</td> </tr> </tbody> </table> <p>12. The descriptions of sub-sections (3)(i), (3)(ii) and (3)(iii) in paragraph 4 of Annex 4 of Appendix 34 of AACSB Handbook for both “Typical Formula Approach” and “Modified Formula Approach” shall be revised as below:</p> <p>Sub-section (3)(i) – “Staff organization chart”;</p> <p>Sub-section (3)(ii) – “Relevant experience and qualifications of core</p>	<u>Section</u>	<u>Numerical Value (Y)</u>	<u>Weighting</u>	(2) Consultant’s Experience	35	35%	<u>Section</u>	<u>Numerical Value (Y)</u>	<u>Weighting</u>	(2) Consultant’s Experience	25	25%
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	<p>personnel”; and</p> <p>Sub-section (3)(iii) – “Responsibility and degree of involvement of named staff in the professional category or above”.</p> <p>13. New paragraphs 4(a) to 4(d) shall be added in Annex 4 of Appendix 34 of AACSB Handbook as below:</p> <p>“4(a). Guidelines for the assessment of “Consultant’s Experience”</p> <p>For attaining full mark (i.e. grade VG), a consultant shall possess experience in [5] or more relevant consultancy assignments in local or non-local building projects of similar scope and complexity and completed by the Consultant within [10] years on or before the original or the extended Technical and Fee (“T&F”) Proposals submission closing date.</p> <table border="1" data-bbox="349 965 1428 1184"> <thead> <tr> <th>No. of relevant consultancies involved</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>[5] or more</td> <td>VG</td> </tr> <tr> <td>[3] to [4]</td> <td>G</td> </tr> <tr> <td>[1] to [2]</td> <td>F</td> </tr> <tr> <td>0</td> <td>P</td> </tr> </tbody> </table> <p><i>[Guidance Note: The procuring department should update the information in square brackets to suit specific project need as appropriate with the endorsement by the AD/PD or an officer of D2 rank or above.]</i></p> <p>4(b). Guidelines for the assessment of “Staff organization chart”</p> <p>The pre-set descriptions for the four different grades are follows:</p> <table border="1" data-bbox="421 1568 1428 2040"> <thead> <tr> <th>Description</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>Very efficient and effective staff organization with strong teams of experts and professionals and comprehensive communication and collaboration platforms</td> <td>VG</td> </tr> <tr> <td>Efficient and effective staff organization with well-defined teams of experts and professionals and suitable communication and collaboration platforms</td> <td>G</td> </tr> <tr> <td>Fair staff organization showing reasonable teams of experts and professionals and communication and collaboration platforms</td> <td>F</td> </tr> <tr> <td>No information or a poor staff organization</td> <td>P</td> </tr> </tbody> </table>	No. of relevant consultancies involved	Grade	[5] or more	VG	[3] to [4]	G	[1] to [2]	F	0	P	Description	Grade	Very efficient and effective staff organization with strong teams of experts and professionals and comprehensive communication and collaboration platforms	VG	Efficient and effective staff organization with well-defined teams of experts and professionals and suitable communication and collaboration platforms	G	Fair staff organization showing reasonable teams of experts and professionals and communication and collaboration platforms	F	No information or a poor staff organization	P
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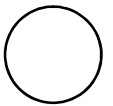
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	<p>4(c). Guidelines for the assessment of “Relevant experience and qualifications of core personnel”</p> <p>For attaining full mark (i.e. grade VG), a consultant shall provide the minimum number of core personnel who shall possess the corresponding minimum qualification and experience as mentioned in the tables below. Same mark shall be allocated to the core personnel under the same designation.</p> <p>If the number of core personnel proposed by the consultant for a particular designation is more than that specified in the invitation documents, the average marks attained by the core personnel for that particular designation would be adopted in tender assessment. If the number of core personnel proposed by the consultant for a particular designation is less than that specified in the invitation documents, the core personnel proposed will be marked based on the relevant selection criteria while the core personnel missing in the submission will be graded “P”.</p> <table border="1" data-bbox="347 1012 1428 1444"> <thead> <tr> <th>Core Personnel</th> <th>Post Qualification Experience</th> <th>Relevant Job Reference</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>[Project Manager] (Mark: XX%) Minimum number: [1]^ Minimum qualification of a [P/D] category</td> <td>Not less than [20] years</td> <td>Not less than [5] projects</td> <td>VG</td> </tr> <tr> <td></td> <td>Not less than [18] years</td> <td>Not less than [3] projects</td> <td>G</td> </tr> <tr> <td></td> <td>Not less than [15] years</td> <td>Not less than [1] project</td> <td>F</td> </tr> <tr> <td></td> <td colspan="2">Fail to provide the core personnel or meet the standard above</td> <td>P</td> </tr> </tbody> </table> <table border="1" data-bbox="347 1491 1428 1924"> <thead> <tr> <th>Core Personnel</th> <th>Post Qualification Experience</th> <th>Relevant Job Reference</th> <th>Grade</th> </tr> </thead> <tbody> <tr> <td>[Project Director] (Mark: YY%) Minimum number: [1]^ Minimum qualification of a [P/D] category</td> <td>Not less than [20] years</td> <td>Not less than [5] projects</td> <td>VG</td> </tr> <tr> <td></td> <td>Not less than [18] years</td> <td>Not less than [3] projects</td> <td>G</td> </tr> <tr> <td></td> <td>Not less than [15] years</td> <td>Not less than [1] project</td> <td>F</td> </tr> <tr> <td></td> <td colspan="2">Fail to provide the core personnel or meet the standard above</td> <td>P</td> </tr> </tbody> </table>	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade	[Project Manager] (Mark: XX%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG		Not less than [18] years	Not less than [3] projects	G		Not less than [15] years	Not less than [1] project	F		Fail to provide the core personnel or meet the standard above		P	Core Personnel	Post Qualification Experience	Relevant Job Reference	Grade	[Project Director] (Mark: YY%) Minimum number: [1]^ Minimum qualification of a [P/D] category	Not less than [20] years	Not less than [5] projects	VG		Not less than [18] years	Not less than [3] projects	G		Not less than [15] years	Not less than [1] project	F		Fail to provide the core personnel or meet the standard above		P
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Reference	Updates
Main Content in Section 3.10(a) of AACSB Handbook	<p>1. A new paragraph shall be added after the last paragraph in Section 3.10(a) of AACSB Handbook, as given below:</p> <p>“The procuring department should avoid using headcount of professional members to be deployed in the consultancy as an assessment criterion of the marking scheme (e.g. 1 mark per R.A./R.P.S./R.P.E.*, etc.) for Technical Proposal. If this assessment criterion is to be adopted, prior approval should be obtained from DEVB.</p> <p>*Remark:</p> <ul style="list-style-type: none"> i) R.A. – Registered Architect; R.P.S. – Registered Professional Surveyor; R.P.E. – Registered Professional Engineer. ii) The names of registered professionals mentioned are examples only. The requirement should apply to other corporate members of relevant professional institutes.

MEMO



From Secretary for Development	To Distribution
Ref. () in DEVB(PS) 106/43	(Attn: _____)
Tel. No. 3509 8279	Your Ref. _____
Fax No. 2905 1181	Dated _____ Fax No. _____
Date 21 October 2022	Total Pages 3 + Encl.

EACSB Consultancies Consultants' Professional Resources

To enable our consultants to pool together adequate professional resources to meet the demand of the upcoming public works projects, we have introduced two measures, via our memo ref. DEVB(PS) 106/43 dated 8 February 2022, in respect of **participation of unlisted consultants as joint venture/sub-consultants and qualification requirements of staff categories of senior professional (SP) and professional (P)**. Following several months' implementation, we would like to make some adjustments to these measures to enhance their applicability. Details are given in the ensuing paragraphs.

Participation of Unlisted Consultants as Joint Venture/Sub-consultants

2. To extend the application of this measure to more consultancies, the threshold of \$30 million is lowered to \$20 million. The updated guidelines with the adjustment shown in ***italic and bold*** are provided below:

The requirements as set out in Section 2.3.1(d) and Section 2.3.3 of the Guidelines for the Implementation of the New Policy shall be waived in the following circumstances:

- (i) EACSB consultancies with an estimated lump sum fee exceeding ***\$20 million***; or
- (ii) where insufficient consultants are identified in a sounding-out exercise (i.e. less than three); or
- (iii) where project offices consider that engagement of non-local experts (individuals/firms) to provide specialised sub-contracting services is necessary. In this case, the consultants are only allowed to engage such non-local experts as sub-consultants but not to form joint ventures with them. Section 2.3.1(d) and Section 2.3.3 of the Guidelines shall still be followed for other proposed sub-consultants.

3. The corresponding amendment to the EACSB Handbook is given in
----- **Annex A.**

Qualification Requirements of Staff Categories of SP and P

4. To recap, this measure aims to provide EACSB consultants with greater flexibility in engaging non-local talents through recognising the academic qualifications of SP and P staff for trades where appropriate professional institutions are available, subject to a higher experience requirement with a cap that the total number of SP and P staff adopting the academic route shall not be more than 30% of the total number of SP and P staff deployed for the consultancy services.

5. As a further enhancement to this measure, we consider it acceptable to allow a certain amount of executive staff to share the non-engineering duties of P staff so that the latter can concentrate their effort on engineering/technical related work. In this connection, the consultant is allowed to engage executive staff with sufficient project coordination experience to help deliver the consultancy services. For the purpose of counting the consultant's input by P staff in the consultant selection exercises, such executive staff shall be classified as P staff, subject to a cap that the number of executive staff shall not be more than 10% of the total number of P staff deployed for the consultancy services. The corresponding amendment to the EACSB Handbook is given
----- in **Annex B.**

Implementation

6. The above updated measures shall apply to all EACSB consultancies with EOI submission or T&F Proposals (for one-stage procurement process) to be invited on or after **21 November 2022**.

7. Please bring this memo to the attention of the project officers who are responsible for administration and management of consultancy agreements.

8. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(Y K HO)
for Secretary for Development

Encl.

Distribution (w/encl.)

DCED (Attn.: Mr Harry Ma)
D of DS (Attn.: Mr Peter Chui)
DEMS (Attn.: Mr Y F Cheung)
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DWS (Attn.: Mr S W Chau)
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LA(W) (Attn.: Ms Ada Chen)
Secretary, EACSB

c.c. (w/encl.)

DArchS (Attn.: Mr Michael Li)
Secretary, AACSB

Internal: CAS(W)7, AS(WPR)2, AS(WP4)5, AS(WP4)7

EACSB Consultancies
Consultants' Professional Resources

The following amendments shall be made to EACSB Handbook and the sample templates of invitation documents for EACSB consultancies. The amendments promulgated in Annex A of the DEVB's memo ref. DEVB(PS) 106/43 dated 8 February 2022 and the provisions promulgated in the DEVB's email dated 21 April 2022 regarding the captioned are hereby superseded.

Part A

Where the circumstances as stated in paragraphs 2(i) and/or 2(ii) of the DEVB's memo ref. DEVB(PS) 106/43 dated 21 October 2022 are applicable, the following amendments shall be made to the sample templates of invitation documents for EACSB consultancies :

Reference	Updates
Appendices 3.1 of EACSB Handbook – Sample Invitation Letter for Expression of Interest	<ol style="list-style-type: none"> 1. Paragraphs 12(b), 12(d) and 17 of the letter and Annexes D and F of the letter shall not be included. 2. All paragraphs of Annex C of the letter shall be replaced by the following four new paragraphs: <ul style="list-style-type: none"> “1. Subject to paragraph 2 below, an Expression of Interest (EOI) submission shall not be considered unless it is submitted by a consultant listed in Annex [] 【Insert appropriate Annex number】 of the invitation letter. 2. If the EOI submission is made by a joint venture, at least one of the participants or shareholders shall be on the initial list shown in Annex ____ 【Refer to Annex B to this sample invitation letter】 of the invitation letter. The joint venture's EOI submission shall not be considered if it fails to comply with this requirement. 3. If the consultant proposes one or more sub-consultants to undertake sub-consulting services under the listed service categories maintained by Engineering and Associated Consultants Selection Board (“EACSB”) and/or Architectural and Associated Consultants Selection Board (“AACSB”), the consultant may engage any sub-consultants even if they are not listed under the relevant service categories maintained by EACSB or AACSB, as the case may be, provided that

Reference	Updates
	<p>(i) the sub-consultants are not suspended from bidding for EACSB consultancy agreements and/or AACSB consultancy agreements in the service categories relevant to the sub-consulting services to be undertaken; and</p> <p>(ii) the sub-consultants are not subject to a debarment period from re-admission after removal from the lists of EACSB and/or AACSB for the service categories relevant to the sub-consulting services to be undertaken</p> <p>on or before the date set for the close of EOI submission, or if this has been extended, the extended date. Failure to comply with this requirement will lead to disqualification of the consultant’s EOI submission.</p> <p>4. If a consultant who makes the EOI submission has proposed to engage a sub-consultant who has been suspended from bidding for either EACSB consultancy agreements in one or more service categories within the purview of the EACSB or AACSB consultancy agreements in one or more service categories within the purview of the AACSB, and/or who has been subject to a debarment period from re-admission after removal from the lists of EACSB and/or AACSB after the closing date for EOI submission, the Assessment Panel may continue the assessment based on the said sub-consultant's status as at the closing date for EOI submission.”</p>
<p>Appendices 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)</p>	<p>1. Paragraphs 15(b), 15(c) and 25 of the letter and Annexes C and D of the letter shall not be included.</p> <p>2. All paragraphs of Annex B of the letter shall be replaced by the following four new paragraphs:</p> <p>“1. Subject to paragraph 2 below, a Technical and Fee Proposal (T&F Proposal) shall not be considered unless it is submitted by a consultant listed in Annex [] 【Insert appropriate Annex number】 of the invitation letter.</p> <p>2. If the T&F Proposal is submitted by a joint venture, it must ensure that the same participants were proposed in the earlier Expression of</p>

Reference	Updates
	<p>Interest (EOI) submission. The joint venture’s T&F Proposal shall not be considered if it fails to comply with this requirement³. If the consultant proposes one or more sub-consultants to undertake sub-consulting services under the listed service categories maintained by Engineering and Associated Consultants Selection Board (“EACSB”) and/or Architectural and Associated Consultants Selection Board (“AACSB”), the consultant may engage any sub-consultants even if they are not listed under the relevant service categories maintained by EACSB or AACSB, as the case may be, provided that</p> <ul style="list-style-type: none"> (i) the sub-consultants are not suspended from bidding for EACSB consultancy agreements and/or AACSB consultancy agreements in the service categories relevant to the sub-consulting services to be undertaken; and (ii) the sub-consultants are not subject to a debarment period from re-admission after removal from the lists of EACSB and/or AACSB for the service categories relevant to the sub-consulting services to be undertaken <p>on or before the date set for the close of submission of T&F Proposal, or if this has been extended, the extended date. Failure to comply with this requirement will lead to disqualification of the consultant’s T&F Proposal.</p> <p>4. If a consultant who submits the T&F Proposal has proposed to engage a sub-consultant who has been suspended from bidding for either EACSB consultancy agreements in one or more service categories within the purview of the EACSB or AACSB consultancy agreements in one or more service categories within the purview of the AACSB, and/or who has been subject to a debarment period from re-admission after removal from the lists of EACSB and/or AACSB after the closing date for submission of T&F Proposal, the Assessment Panel may continue the assessment based on the said sub-consultant's status as at the closing date for submission of T&F Proposal. If the consultant concerned attains the highest combined score, the consultant concerned may still be eligible for award of the agreement.”</p>

Reference	Updates
<p>Appendices 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)</p>	<ol style="list-style-type: none"> 1. Paragraphs 14(b), 14(d) and 31 of the letter and Annexes E and G of the letter shall not be included. 2. All paragraphs of Annex D of the letter shall be replaced by the following four new paragraphs: <ul style="list-style-type: none"> “1. Subject to paragraph 2 below, a Technical and Fee Proposal (T&F Proposal) shall not be considered unless it is submitted by a consultant listed in Annex [] 【Insert appropriate Annex number】 of the invitation letter. 2. If the T&F Proposal is submitted by a joint venture, at least one of the participants or shareholders shall be on the initial list shown in Annex [] 【Insert appropriate Annex number】 of the invitation letter. The joint venture’s T&F Proposal shall not be considered if it fails to comply with this requirement. 3. If the consultant proposes one or more sub-consultants to undertake sub-consulting services under the listed service categories maintained by Engineering and Associated Consultants Selection Board (“EACSB”) and/or Architectural and Associated Consultants Selection Board (“AACSB”), the consultant may engage any sub-consultants even if they are not listed under the relevant service categories maintained by EACSB or AACSB, as the case may be, provided that <ul style="list-style-type: none"> (i) the sub-consultants are not suspended from bidding for EACSB consultancy agreements and/or AACSB consultancy agreements in the service categories relevant to the sub-consulting services to be undertaken; and (ii) the sub-consultants are not subject to a debarment period from re-admission after removal from the lists of EACSB and/or AACSB for the service categories relevant to the sub-consulting services to be undertaken <p>on or before the date set for the close of submission of T&F Proposal, or if this has been extended, the extended date. Failure to comply with this requirement will lead to disqualification of the consultant’s T&F</p>

Reference	Updates
	<p>Proposal.</p> <p>4. If a consultant who submits the T&F Proposal has proposed to engage a sub-consultant who has been suspended from bidding for either EACSB consultancy agreements in one or more service categories within the purview of the EACSB or AACSB consultancy agreements in one or more service categories within the purview of the AACSB, and/or who has been subject to a debarment period from re-admission after removal from the lists of EACSB and/or AACSB after the closing date for submission of T&F Proposal, the Assessment Panel may continue the assessment based on the said sub-consultant's status as at the closing date for submission of T&F Proposal. If the consultant concerned attains the highest combined score, the consultant concerned may still be eligible for award of the agreement.”</p>

Part B

Where only circumstance as stated in paragraph 2(iii) of the DEVB’s memo ref. DEVB(PS) 106/43 dated 21 October 2022 is applicable, the following amendments shall be made to the sample templates of invitation documents for EACSB consultancies :

Reference	Updates
Appendix 3.1 of EACSB Handbook – Sample Invitation Letter for Expression of Interest	<p>1. Paragraph 12(d) of the letter shall be included and replaced by the following:</p> <p>“For the avoidance of doubt, apart from the consulting firms on the lists given in Annex _____ to this letter 【Inclusion of Annex D – see Paragraph 12b. above】 , you can also engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>The Expression of Interest submission for this Assignment in respect of the sub-consultants solely for the above services will be evaluated on an equal basis, no matter whether the sub-consultants are on the lists given in Annex _____ to this letter 【Inclusion of Annex D – see Paragraph 12b. above】 or not.”</p> <p>2. A new paragraph 12(e) shall be added to the letter as below:</p> <p>“A consultant will be regarded as “non-local consultant” if :</p> <p>(i) the consultant is a natural person who, as at the closing date of the Expression of Interest submission, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out in paragraph 12d; or</p> <p>(ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or</p> <p>(iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons</p>

Reference	Updates
	<p>described in item (i) above of this paragraph.</p> <p>In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed in paragraph 12d, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant’s Expression of Interest submission. A sample declaration letter is attached at Annex _____ of this letter 【Inclusion of Annex G as an Annex to this letter】 .”</p> <p>3. Paragraphs 4.1(a) and 4.2(a) of Annex C of the letter shall be revised by.:</p> <p>(i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; and</p> <p>(ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”.</p> <p>4. A new paragraph 4.4 shall be added to Annex C of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in paragraphs 4.1 and 4.2 above. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the Expression of Interest submission, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or (iii) if the consultant is an</p>

Reference	Updates
	<p>unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant's non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant's Expression of Interest submission."</p> <p>5. Paragraph 6 of Annex C of the letter shall be revised by deleting "because of change in listing status" in the first sentence and replacing "listing" with "eligibility" in the second sentence.</p> <p>6. Note (b) of Annex D of the letter shall be revised by:</p> <ul style="list-style-type: none"> (i) replacing "The" at the beginning of the paragraph with "Save as provided in note (e) below, the" ; and (ii) replacing "note (c)" in the second sentence with "notes (c) and (e)". <p>7. Note (c) of Annex D of the letter shall be revised by replacing "Unlisted" at the beginning of the note with "Save as provided in note (e), unlisted".</p> <p>8. A new note (e) shall be added to Annex D of the letter as below:</p> <p>"In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p style="text-align: center;">【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Section 2.3.1(b) of the Guidelines. A consultant will be regarded as "non-local consultant" if (i) the consultant is a natural person who, as at the closing date of the Expression of Interest submission, is yet to obtain a working visa / entry</p>

Reference	Updates
	<p>permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant's non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant's Expression of Interest submission."</p> <p>9. Note (d) of Annex F of the letter shall be revised by:</p> <ul style="list-style-type: none"> (i) replacing "The" at the beginning of the first sentence with "Save as provided in note (g) below, the"; and (ii) replacing "note (e)" in the second sentence with "notes (e) and (g)". <p>10. Note (e) of Annex F of the letter shall be revised by replacing "Unlisted" at the beginning of the first sentence with "Save as provided in note (g) below, unlisted".</p> <p>11. A new note (g) shall be added to Annex F of the letter as below:</p> <p style="padding-left: 40px;">"In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p style="padding-left: 80px;">【<i>Input the sub-consulting services</i>】</p> <p style="padding-left: 40px;">the engagement of such sub-consultants is not subject to the requirements as mentioned in Section 2.3.1(b) of the Guidelines. A consultant will be regarded as "non-local consultant" if (i) the consultant is a natural person who, as at the closing date of the</p>

Reference	Updates
	<p>Expression of Interest submission, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant's non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant's Expression of Interest submission."</p>
<p>Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)</p>	<p>1. Paragraph 15(c) of the letter shall be included and replaced by the following:</p> <p>“For the avoidance of doubt, apart from the consulting firms on the lists given in Annex _____ to this letter 【 Inclusion of Annex C – see Paragraph 15b. above 】 , you can also engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【 Input the sub-consulting services 】</p> <p>The Technical and Fee Proposals for this Assignment in respect of the sub-consultants solely for the above services will be evaluated on an equal basis, no matter whether the sub-consultants are on the lists given in Annex _____ to this letter 【 Inclusion of Annex C – see Paragraph 15b. above 】 or not.”</p> <p>2. A new paragraph 15(d) shall be added to the letter as below:</p> <p>“A consultant will be regarded as “non-local consultant” if :</p> <p>(i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain</p>

Reference	Updates
	<p>a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out in paragraph 15c; or</p> <p>(ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or</p> <p>(iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph.”</p> <p>In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed in paragraph 15c, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals. A sample declaration letter is attached at Annex _____ of this letter 【Inclusion of Annex E as an Annex to this letter】.”</p> <p>3. Paragraphs 4.1(a) and 4.2(a) of Annex B of the letter shall be revised by :</p> <p>(i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; and</p> <p>(ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”.</p> <p>4. A new paragraph 4.4 shall be added to Annex B of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p>

Reference	Updates
	<p>the engagement of such sub-consultants is not subject to the requirements as mentioned in paragraphs 4.1 and 4.2 above. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>5. The paragraph 5 of Annex B of the letter shall be revised by replacing “listing” with “eligibility” in the first sentence.</p> <p>6. Note (b) of Annex C of the letter shall be revised by replacing “The” at the beginning of the first sentence with “Save as provided in note (d), the”.</p> <p>7. A new note (d) shall be added to Annex C of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A</p>

Reference	Updates
	<p>consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>8. Note (c) of Annex D of the letter shall be revised by replacing “The” at the beginning of the first sentence with “Save as provided in note (e) below, the”.</p> <p>9. A new note (e) shall be added to Annex D of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【<i>Input the sub-consulting services</i>】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not</p>

Reference	Updates
	<p>incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p>
<p>Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)</p>	<p>1. Paragraph 14(c) of the letter shall be included and replaced by the following:</p> <p>“For the avoidance of doubt, apart from the consulting firms on the lists given in Annex _____ to this letter 【Inclusion of Annex E – see Paragraph 14b. above】, you can also engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>The Technical and Fee Proposals for this Assignment in respect of the sub-consultants solely for the above services will be evaluated on an equal basis, no matter whether the sub-consultants are on the lists given in Annex _____ to this letter 【Inclusion of Annex E – see Paragraph 14b. above】 or not.”</p> <p>2. A new paragraph 14(d) shall be added to the letter as below:</p> <p>“A consultant will be regarded as “non-local consultant” if :</p> <p>(i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out in</p>

Reference	Updates
	<p>paragraph 14c; or</p> <p>(ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or</p> <p>(iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph.”</p> <p>In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed in paragraph 14c, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals. A sample declaration letter is attached at Annex _____ of this letter 【Inclusion of Annex H as an Annex to this letter】 .”</p> <p>3. Paragraph 4.1(a) of Annex D of the letter shall be revised by:</p> <p>(i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”;</p> <p>(ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”; and</p> <p>(iii) replacing “If” at the beginning of the last sentence with “Save as aforesaid, if”.</p> <p>4. Paragraph 4.2(a) of Annex D of the letter shall be revised by:</p> <p>(i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; and</p> <p>(ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”.</p>

Reference	Updates
	<p>5. A new paragraph 4.4 shall be added to Annex D of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in paragraphs 4.1 and 4.2 above. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>6. Paragraph 5 of Annex D of the letter shall be revised by replacing “listing” with “eligibility” in the first sentence.</p> <p>7. Note (b) of Annex E of the letter shall be revised by replacing “The” at the beginning of the first sentence with “Save as provided in note (d), the”.</p> <p>8. A new note (d) shall be added to Annex E of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local</p>

Reference	Updates
	<p>consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>9. Note (c) of Annex G of the letter shall be revised by replacing “The” in the beginning of the first sentence with “Save as provided in note (e), the”.</p> <p>10. A new note (e) shall be added to Annex G of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the</p>

Reference	Updates
	<p>requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p>

Annex G of Sample Invitation Letter for EOI /
Annex E of Sample Invitation Letter for T&F Proposal (Two Stage) /
Annex H of Sample Invitation Letter for T&F Proposal (One-Stage)

Sample Declaration Letter

Agreement No. [XX]

[Agreement Title]

To: The Government of the HKSAR

We declare that we are non-local having regard to the definition of “Non-local” in Clause [yy] of the Invitation Letter for the subject Agreement.

Name of Sub-consultant: _____

Signature of person authorised to sign the declaration letter: _____

Name in block letters _____

Telephone number: _____

Date: _____

EACSB Consultancies
Consultants' Professional Resources

The following amendments regarding the qualification requirements of staff categories of Senior Professional (SP) and Professional (P) shall be made to EACSB Handbook and the sample templates of invitation documents for EACSB consultancies. The amendments promulgated in Annex A of the DEVB's memo ref. DEVB(PS) 106/43 dated 8 February 2022 and the provisions promulgated in the DEVB's email dated 21 April 2022 regarding the captioned are hereby superseded.

Reference	Updates
Section 3.10 of EACSB Handbook – Submission and Assessment of Technical Proposals	<p>1. The 3rd and 4th paragraphs on Page 46 of EACSB Handbook shall be replaced by the following:</p> <p>“Where the information, together with clarifications from the consultants (if any), reveals non-compliance with the minimum academic/professional qualifications and/or minimum experience for one or more than one staff member, the mark to be given for the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the table below as a guide.</p> <p>For trades where appropriate professional institutions are available, the weighted total manpower input of the consultant’s proposed Senior Professional (SP) and Professional (P) adopting the academic route (i.e. Route 1) must not be more than 30% of the weighted total manpower input of SP and P of the consultant.</p> <p>Consultants are allowed to propose staff who only possess university degree or equivalent in other disciplines (i.e. disciplines other than those assessed as appropriate by the Assessment Panel) but with experience in project coordination and/or executive support (i.e. Route 2) to contribute to the project as P in order to enhance the flexibility in the deployment of manpower resources, particularly in the respect of project coordination and executive support. The weighted manpower input of the consultant’s proposed P adopting this Route 2 must not be more than 10% of the weighted manpower input of P of the consultant.</p> <p>After checking the minimum academic/professional qualifications and/or minimum experience requirements of the consultant’s</p>

Reference	Updates
	<p>proposed SP and P, the Assessment Panel shall assess whether the weighted total manpower input of the consultant’s proposed SP and P adopting the Route 1 would exceed 30% of the weighted total manpower input of SP and P of the consultant. The Assessment Panel shall also assess whether the weighted manpower input of the consultant’s proposed P adopting the Route 2 would exceed 10% of the weighted manpower input of P of the consultant. If any of the percentage is exceeded, the managing department may seek clarification from the consultant of factual information about the qualifications and experience of the staff in writing but should not allow the staff and/or the staff category to be changed to avoid the consultant having the opportunity to improve his submissions. When informing the consultant of the exceedance, the managing department should always include the following:</p> <p><i>“In your reply, you are only allowed to provide factual information about them and their qualifications and experience of the staff concerned and are not allowed to change the proposed staff or change the staff from one staff category to another staff category.</i></p> <p><i>For the avoidance of doubt, in the performance of the assignment, if awarded to you, you are bound to provide the manpower input of the staff in the relevant staff categories as included in your proposal except that if the weighted total manpower input of your proposed Senior Professional (SP) and Professional (P) adopting the Route 1 exceeds 30% of the weighted total manpower input of SP and P, and/or if the weighted manpower input of your proposed P adopting Route 2 exceeds 10% of the weighted manpower input of P, you are deemed to have agreed that subject to approval of the Government, you shall replace those staff at your cost with other staff not lower than the qualifications and experience of the proposed staff so that after the replacement, the weighted total manpower input of the proposed SP and P adopting the Route 1 shall not be more than 30% of the weighted total manpower input of SP and P and/or the weighted manpower input of the proposed P adopting the Route 2 shall not be more than</i></p>

Reference	Updates								
	<p data-bbox="627 208 1369 383"><i>10% of the weighted manpower input of P. The replacement shall be subject to the approval procedures as if there is a change of core personnel under the assignment.”</i></p> <p data-bbox="555 398 1428 815">Where the information, together with clarification from the consultants (if any), reveals that the weighted total manpower input of the proposed SP and P adopting the Route 1 exceeds 30% of the weighted total manpower input of SP and P, and/or the weighted manpower input of the proposed P adopting the Route 2 exceeds 10% of the weighted manpower input of P, the mark to be given for the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the table below as a guide.</p> <table border="1" data-bbox="555 869 1425 1155"> <thead> <tr> <th data-bbox="555 869 991 981">Total degree of non-compliance in the opinion of the Assessment Panel</th> <th data-bbox="999 869 1425 981">Mark shall be multiplied by (exact multiplier to be decided by the Panel)</th> </tr> </thead> <tbody> <tr> <td data-bbox="555 981 991 1039">Minor</td> <td data-bbox="999 981 1425 1039">0.95 to 0.9</td> </tr> <tr> <td data-bbox="555 1039 991 1097">Medium</td> <td data-bbox="999 1039 1425 1097">0.9 to 0.8</td> </tr> <tr> <td data-bbox="555 1097 991 1155">Serious</td> <td data-bbox="999 1097 1425 1155">Below 0.8</td> </tr> </tbody> </table> <p data-bbox="555 1211 1129 1245">Total degree of non-compliance = A + B + C</p> <p data-bbox="555 1261 635 1294">where</p> <p data-bbox="555 1310 1428 1391">A = degree of non-compliance with minimum academic/professional qualifications and/or minimum experience;</p> <p data-bbox="555 1406 1428 1440">B = degree of non-compliance due to exceedance under the Route 1;</p> <p data-bbox="555 1456 603 1489">and</p> <p data-bbox="555 1505 1428 1538">C = degree of non-compliance due to exceedance under the Route 2.</p> <p data-bbox="555 1554 1428 1821">The adjustment shall not prevent the Assessment Panel from taking into account the discrepancy information in marking other aspects of the technical proposal. Sample templates for defining degree of non-compliance with the minimum academic/professional qualifications and/or minimum experience and due to exceedance under Routes 1 and 2 are shown in Appendix 3.16.”</p>	Total degree of non-compliance in the opinion of the Assessment Panel	Mark shall be multiplied by (exact multiplier to be decided by the Panel)	Minor	0.95 to 0.9	Medium	0.9 to 0.8	Serious	Below 0.8
Total degree of non-compliance in the opinion of the Assessment Panel	Mark shall be multiplied by (exact multiplier to be decided by the Panel)								
Minor	0.95 to 0.9								
Medium	0.9 to 0.8								
Serious	Below 0.8								

Reference	Updates
Appendix 3.4B of EACSB Handbook – Sample Template for Guidelines on Preparation of Technical Proposal	<p>1. The table and remarks after the 3rd paragraph in Note (3) of Part B on Page 9 of Appendix 3.4B of EACSB Handbook shall be replaced by the following:</p> <p>“For trades where appropriate professional institutions are available, the weighted total manpower input of the consultant’s proposed Senior Professional (SP) and Professional (P) adopting the academic route (i.e. Route 1) must not be more than 30% of the weighted total manpower input of SP and P of the consultant.</p> <p>For staff who only possess university degree or equivalent in other disciplines (i.e. disciplines other than those assessed as appropriate by the Assessment Panel) but with experience in project coordination and/or executive support (i.e. Route 2), the weighted manpower input of the consultant’s proposed P adopting this Route 2 must not be more than 10% of the weighted manpower input of P of the consultant.</p> <p>For the avoidance of doubt, if the Assessment Panel assesses and considers that the consultant’s proposed P can only meet the minimum qualification and experience requirements of both Routes 1 and 2 (e.g. double degrees), its weighted manpower input will be taken into account in checking for compliance under Route 1 only but not under Route 2.</p> <p>If the Assessment Panel assesses that the weighted total manpower input of the proposed SP and P adopting the Route 1 exceeds 30% of the weighted total manpower input of SP and P, and/or the weighted manpower input of the proposed P adopting the Route 2 exceeds 10% of the weighted manpower input of P, the consultant may be approached for clarification before opening of the fee proposal. If the information, together with clarification from the consultant (if any), reveals that the weighted total manpower input of the proposed SP and P adopting the Route 1 exceeds 30% of the weighted total manpower input of SP and P, and/or the weighted manpower input of the proposed P adopting the Route 2 exceeds 10% of the weighted manpower input of P, the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the table below.</p>

Reference	Updates												
	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td colspan="2">Total Degree of non-compliance</td> <td>Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by</td> </tr> <tr> <td>Minor</td> <td>> 0% and ≤ (5%)</td> <td>XX</td> </tr> <tr> <td>Medium</td> <td>> (5%) and < (10%)</td> <td>XX</td> </tr> <tr> <td>Serious</td> <td>≥ (10%)</td> <td>XX</td> </tr> </table> <p>Total degree of non-compliance = degree of non-compliance with the minimum academic/professional qualifications and/or minimum experience + degree of non-compliance due to exceedance under Route 1 + degree of non-compliance due to exceedance under Route 2 where</p> <p>Degree of non-compliance with the minimum academic/professional qualifications and/or minimum experience = $B/A \times 100\%$</p> <ul style="list-style-type: none"> - A = Weighted total manpower input of the consultant - B = Weighted manpower input of the proposed staff claimed to be in a particular staff category not meeting the minimum academic/professional qualifications and/or minimum experience requirements <p>Degree of non-compliance due to exceedance under Route 1 = $D/C \times 100\% - 30\%$</p> <ul style="list-style-type: none"> - C = Weighted total manpower input of SP and P of the consultant - D = Weighted total manpower input of the proposed SP and P adopting the Route 1 - Degree of non-compliance shall be considered as zero if the calculated value is negative <p>Degree of non-compliance due to exceedance under Route 2 = $F/E \times 100\% - 10\%$</p> <ul style="list-style-type: none"> - E = Weighted manpower input of P of the consultant - F = Weighted manpower input of the proposed P adopting the Route 2 	Total Degree of non-compliance		Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by	Minor	> 0% and ≤ (5%)	XX	Medium	> (5%) and < (10%)	XX	Serious	≥ (10%)	XX
Total Degree of non-compliance		Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by											
Minor	> 0% and ≤ (5%)	XX											
Medium	> (5%) and < (10%)	XX											
Serious	≥ (10%)	XX											

Reference	Updates																			
	<p>- Degree of non-compliance shall be considered as zero if the calculated value is negative</p> <p>[Remarks: The procuring department may update the figures in brackets to suit the project specific circumstances.]”</p>																			
<p>Appendices 3.13A and 4.2 of EACSB Handbook</p>	<p>The table showing the requirements of minimum academic/professional qualifications for staff categories of Senior Professional (P) and Professional (P) shall be amended as below (changes highlighted in bold and italic):</p> <table border="1" data-bbox="507 728 1430 2067"> <thead> <tr> <th data-bbox="507 728 692 904">Staff category</th> <th data-bbox="692 728 879 904"><i>Route</i></th> <th data-bbox="879 728 1099 904">Minimum academic / professional qualifications</th> <th data-bbox="1099 728 1430 904">Minimum experience requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="507 904 692 1151">Partners/ Directors</td> <td data-bbox="692 904 879 1151"><i>Professional Route</i></td> <td data-bbox="879 904 1099 1151">Corporate member of an appropriate professional institution or equivalent</td> <td data-bbox="1099 904 1430 1151">15 years relevant post-qualification experience</td> </tr> <tr> <td data-bbox="507 1151 692 1823" rowspan="2">Chief Professional</td> <td data-bbox="692 1151 879 1397"><i>Professional Route</i></td> <td data-bbox="879 1151 1099 1397">Corporate member of an appropriate professional institution or equivalent</td> <td data-bbox="1099 1151 1430 1397">12 years relevant post-qualification experience</td> </tr> <tr> <td data-bbox="692 1397 879 1823"><i>Academic Route</i></td> <td data-bbox="879 1397 1099 1823">University degree or equivalent in an appropriate discipline</td> <td data-bbox="1099 1397 1430 1823">17 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence</td> </tr> <tr> <td data-bbox="507 1823 692 2067">Senior Professional</td> <td data-bbox="692 1823 879 2067"><i>Professional Route</i></td> <td data-bbox="879 1823 1099 2067">Corporate member of an appropriate professional institution or equivalent</td> <td data-bbox="1099 1823 1430 2067">5 years relevant post-qualification experience</td> </tr> </tbody> </table>	Staff category	<i>Route</i>	Minimum academic / professional qualifications	Minimum experience requirement	Partners/ Directors	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-qualification experience	Chief Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience	<i>Academic Route</i>	University degree or equivalent in an appropriate discipline	17 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence	Senior Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
Staff category	<i>Route</i>	Minimum academic / professional qualifications	Minimum experience requirement																	
Partners/ Directors	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-qualification experience																	
Chief Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience																	
	<i>Academic Route</i>	University degree or equivalent in an appropriate discipline	17 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence																	
Senior Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience																	

Reference	Updates			
	Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
	Senior Professional	<i>Academic Route</i>	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 10 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • <i>12 years relevant post-qualification experience for other cases (Route 1) (see Note 1)</i>
	Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	No additional requirement
		<i>Academic Route</i>	A. University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 5 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • <i>7 years relevant post-qualification experience for other cases (Route 1) (see Note 1)</i>

Reference	Updates			
	Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
	Professional	<i>Academic Route</i>	B. University degree or equivalent in other disciplines (i.e. disciplines not covered in Part A above)	<ul style="list-style-type: none"> • 7 years post-qualification experience in project coordination and/or executive support (Route 2) (see Note 2)
	Assistant Professional	<i>Academic Route</i>	University degree or equivalent in an appropriate discipline	No additional requirement
	Technical	<i>Academic Route</i>	Diploma or Higher Certificate or equivalent in an appropriate discipline	No additional requirement
	<p><u>Notes</u></p> <ol style="list-style-type: none"> 1. <i>The weighted total manpower input of Senior Professional (SP) and Professional (P) for the Route 1 shall not be more than 30% of the weighted total manpower input of SP and P deployed for the consultancy services.</i> 2. <i>The weighted manpower input of P for the Route 2 shall not be more than 10% of the weighted manpower input of P deployed for the consultancy services.</i> 			
Appendix 3.16 of EACSB Handbook – Details on Checking of Compliance with Specified Percentage Range, Worked Example for Ascertaining Fee	<ol style="list-style-type: none"> 1. The title of Appendix 3.16 shall be amended as below (changes highlighted in <i>bold and italic</i>): “Details on Checking of Compliance with Specified Percentage Range, Worked Example for Ascertaining Fee Quality Score and Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience <i>and Due to Exceedance under Academic Routes</i> and 			

Reference	Updates												
Quality Score and Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience and Staff Working Under Overloading Situation	<p data-bbox="555 208 1270 241"><i>Degree of Staff Working Under Overloading Situation</i></p> <p data-bbox="507 309 1430 483">2. The “Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience” on Page 5 of Appendix 3.16 of EACSB Handbook shall be replaced by the following:</p> <p data-bbox="564 546 1420 674"><u>“Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience and Due to Exceedance under Academic Routes</u></p> <table border="1" data-bbox="555 725 1426 1294"> <thead> <tr> <th colspan="2" data-bbox="555 725 1062 1021">Total Degree of Non-compliance</th> <th data-bbox="1070 725 1426 1021">Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by (Exact multiplier to be decided by the Assessment Panel in the Marking Scheme)</th> </tr> </thead> <tbody> <tr> <td data-bbox="555 1021 743 1115">Minor</td> <td data-bbox="751 1021 1062 1115">> 0% and ≤ (5%)</td> <td data-bbox="1070 1021 1426 1115">0.95 to 0.9 (e.g. 0.95)</td> </tr> <tr> <td data-bbox="555 1115 743 1205">Medium</td> <td data-bbox="751 1115 1062 1205">> (5%) and < (10%)</td> <td data-bbox="1070 1115 1426 1205">0.9 to 0.8 (e.g. 0.9)</td> </tr> <tr> <td data-bbox="555 1205 743 1294">Serious</td> <td data-bbox="751 1205 1062 1294">≥ (10%)</td> <td data-bbox="1070 1205 1426 1294">Below 0.8 (e.g. 0.6)</td> </tr> </tbody> </table> <p data-bbox="555 1352 1430 1626">Total degree of non-compliance = degree of non-compliance with the minimum academic/professional qualifications and/or minimum experience + degree of non-compliance due to exceedance under Route 1 + degree of non-compliance due to exceedance under Route 2 where</p> <p data-bbox="555 1688 1430 1816">Degree of non-compliance with the minimum academic/professional qualifications and/or minimum experience = $B/A \times 100\%$</p> <ul data-bbox="555 1832 1430 2056" style="list-style-type: none"> - A = Weighted total manpower input of the consultant - B = Weighted manpower input of the proposed staff claimed to be in a particular staff category not meeting the minimum academic/professional qualifications and/or minimum experience requirements 	Total Degree of Non-compliance		Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by (Exact multiplier to be decided by the Assessment Panel in the Marking Scheme)	Minor	> 0% and ≤ (5%)	0.95 to 0.9 (e.g. 0.95)	Medium	> (5%) and < (10%)	0.9 to 0.8 (e.g. 0.9)	Serious	≥ (10%)	Below 0.8 (e.g. 0.6)
Total Degree of Non-compliance		Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by (Exact multiplier to be decided by the Assessment Panel in the Marking Scheme)											
Minor	> 0% and ≤ (5%)	0.95 to 0.9 (e.g. 0.95)											
Medium	> (5%) and < (10%)	0.9 to 0.8 (e.g. 0.9)											
Serious	≥ (10%)	Below 0.8 (e.g. 0.6)											

Reference	Updates
	<p>Degree of non-compliance due to exceedance under Route 1 $= D/C \times 100\% - 30\%$</p> <ul style="list-style-type: none"> - C = Weighted total manpower input of SP and P of the consultant - D = Weighted total manpower input of the proposed SP and P adopting the Route 1 - Degree of non-compliance shall be considered as zero if the calculated value is negative <p>Degree of non-compliance due to exceedance under Route 2 $= F/E \times 100\% - 10\%$</p> <ul style="list-style-type: none"> - E = Weighted manpower input of P of the consultant - F = Weighted manpower input of the proposed P adopting the Route 2 - Degree of non-compliance shall be considered as zero if the calculated value is negative <p>Explanatory Notes:</p> <p>(a) If the consultant's proposed staff claimed to be in a particular staff category do not meet the minimum academic/professional qualifications and/or minimum experience requirements, the "adequacy of professional and technical manpower input" attribute shall be adjusted by the Assessment Panel using the criteria above.</p> <p>(b) If the consultant does not input the staff category for any particular staff in the manning schedule of his technical proposal, the consultant may be approached before opening of the fee proposal, for clarification on the staff category for that particular staff, if any, input in the manning schedule of his fee proposal. In case the consultant clarifies that no staff category has been input for the staff in both technical and fee proposals, that particular staff shall be counted as non-compliance with the minimum academic/professional qualifications and/or minimum experience requirements for the purpose of assessment on this aspect only and the "adequacy of professional and technical manpower input" attribute shall be adjusted by the Assessment Panel using the criteria above. In determining the degree of non-compliance under this circumstance, the staff category and the academic/professional</p>

Reference	Updates
	<p>qualifications and/or experience of that particular staff shall be determined from the information in the curriculum vitae for named staff or the declaration to meet the minimum academic/professional qualifications and/or minimum experience requirements in the relevant staff categories for unnamed staff submitted in the technical proposal together with any clarification from the consultant on the factual information of the staff if appropriate.</p> <p>(c) For trades where appropriate professional institutions are available, the weighted total manpower input of the consultant's proposed SP and P adopting the academic route (i.e. Route 1) must not be more than 30% of the weighted total manpower input of SP and P of the consultant.</p> <p>(d) For staff who only possess university degree or equivalent in other disciplines (i.e. disciplines other than those assessed as appropriate by the Assessment Panel), but with experience in project coordination and/or executive support (i.e. Route 2), the weighted manpower input of the consultant's proposed P adopting this Route 2 must not be more than 10% of the weighted manpower input of P of the consultant.</p> <p>(e) For the avoidance of doubt, if the Assessment Panel assesses and considers that the consultant's proposed P can only meet the minimum qualification and experience requirements of both Routes 1 and 2 (e.g. double degrees), its weighted manpower input will be taken into account in checking for compliance under Route 1 only but not under Route 2.</p> <p>(f) If the Assessment Panel assesses that the weighted total manpower input of the proposed SP and P adopting the Route 1 exceeds 30% of the weighted total manpower input of SP and P, and/or the weighted manpower input of the proposed P adopting the Route 2 exceeds 10% of the weighted manpower input of P, the consultant may be approached for clarification before opening of the fee proposal. If the information, together with clarification from the consultant (if any), reveals that the weighted total manpower input of the proposed SP and P adopting the Route 1 exceeds 30% of the weighted total manpower input of SP and P, and/or the weighted manpower input of the proposed P adopting the Route 2 exceeds 10% of the weighted manpower input of P, the "adequacy of</p>

Reference	Updates
	<p>professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the criteria above.</p> <p>Remarks:</p> <ol style="list-style-type: none"> (1) The percentage in the brackets should be determined by the Assessment Panel to suit the consultancy agreement. (2) The criteria to determine the degree of non-compliance with explanatory notes above should be included in the Marking Scheme and made known to the bidders. (3) The Assessment Panel has its discretion to decide another new set of criteria for determining the degree of non-compliance provided that such criteria with explanatory notes are commented by DEVB, and if necessary, by LAD(W).”

Implementation

3. The adjusted conversion factor shall apply to all awarded EACSB consultancies¹. For the consultants selection exercises of EACSB and AACSB (including DCSC) consultancies², the existing conversion factor (i.e. 40 man-hours per man-week) shall be used for those with T&F Proposals invited or to be invited before 24 October 2022 while the adjusted one (i.e. 50 man-hours per man-week) shall be used for those with T&F Proposals to be invited on or after 24 October 2022.

4. Please bring this memo to the attention of the officers responsible for managing consultancies.

5. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

¹ When checking of overloading situation is required.

² When checking of Specified Percentage Range and/or overloading situation is required.

Distribution

DArchS (Attn.: Mr Michael Li)
DCED (Attn.: Mr Harry Ma)
D of DS (Attn.: Mr Peter Chui)
DEMS (Attn.: Mr Y F Cheung)
D of Hy (Attn.: Mr W K Ng)
DWS (Attn.: Mr S W Chau)
DAFC (Attn.: Mr Edmond Yau)
DB (Attn.: Ms Cimberly Tsui)
DEP (Attn.: Mr W W Cheung)
DHA (Attn.: Mr Thomas Chan)
D of Lands (Attn.: Mr Stephen Yeung)
D of Plan (Attn.: Ms Carrie Chan)
D of SW (Attn.: Ms Rio Kwok)
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D for H (Attn.: Mr Cannon Poon)
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STL (Attn.: Mr K F Choi)
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SFST (Attn.: Ms Bernice Chan)
LA(W) (Attn.: Ms Ada Chen)
Secretary, AACSB
Secretary, EACSB

Internal: PAS(W)4, CAS(W)7, TL(WPR), AS(WP4)5, AS(WPR)2

M E M O

From Secretary for Development
Ref. in DEVB(PS) 106/43
Tel. No. 3509 8739
Fax No. 2513 5608
Date 30 September 2022

To Distribution
(Attn.: _____)
Your Ref. _____
dated _____ Fax. No. _____
Total Pages 3 + Encl

**DEVB Technical Circular (Works) No. 2/2016
Assessment of Consultants' Proposals**

**DEVB Technical Circular (Works) No. 5/2018
New Policy for the Selection, Appointment and Management
of Consultants under the Purview of the Engineering and
Associated Consultants Selection Board**

Enhancement of Bidding Mechanism for EACSB and AACSB Consultancies

To promote a reasonable fee-bidding environment in the consultants selection exercise and safeguard against any unreasonably low bids, an enhanced bidding mechanism¹ was introduced for staged implementation under our memo ref. DEVB(PS) 106/43 dated 28 March 2022.

Review on enhanced bidding mechanism

2. After about five months of implementation of the first stage, which applies to EACSB and AACSB (including DCSC) consultancies² with pre-tender estimates³ equal to or less than \$30 million, we just completed a review on the effectiveness of the enhanced bidding mechanism. The review shows that the enhanced bidding mechanism can effectively discourage consultants from submitting unreasonably low bids, with all awarded consultancy fees reaching a reasonable and healthy level. Therefore, we consider it is time to proceed to the second stage of the implementation of enhanced bidding mechanism.

¹ It introduces an enhanced fee diving control mechanism and a set of referenced staff rates for additional Services.

² For some consultancies such as those adopting NEC PSC Option C and time charge in which the adoption of referenced staff rates for additional Services is not applicable, only the enhanced fee diving control mechanism is adopted.

³ The pre-tender estimates are prepared without making any allowance for adoption of the enhanced bidding mechanism.

Second Stage of Implementation

3. In the second stage of implementation, the enhanced bidding mechanism will be applied to **all** EACSB and AACSB (including DCSC) consultancies⁴ with EOI submission (or T&F Proposal for one-stage process) to be invited on or after **10 October 2022**.
4. The amendments to the standard templates in NEC3 for the enhanced bidding mechanism have been separately promulgated in our email dated 16 August 2022 and uploaded to Works Group Portal for reference. For the sake of consistence, some updates to the provisions promulgated under our memo ref. DEVB(PS) 106/43 dated 28 March 2022 for the enhanced bidding mechanism for EACSB and AACSB consultancies are attached at **Annexes A and B** respectively for reference.
5. As only limited amount of cost data under the enhanced bidding mechanism is available at this stage, the current practice of preparing the pre-tender estimate without making any allowance for adoption of the enhanced bidding mechanism should still be maintained. Similarly, in estimating the notional value for the additional Services, project teams should make reference to the relevant all-inclusive time charge rates of other similar consultancies which have not made any allowance for the adoption of the enhanced bidding mechanism.
6. Project teams are advised to make sufficient allowance in their budgets to cater for the potential cost implication. If the project teams have already obtained funding or made funding applications for the consultancies, and are of the view that the adoption of the enhanced bidding mechanism may render the funding approved or under application inadequate, they should seek prior approval from DEVB for not adopting the enhanced bidding mechanism.
7. Further review will be conducted in due course to determine if appropriate adjustments should be made before proceeding to the next stage of implementation.
8. Please bring this memo to the attention of the officers responsible for managing consultancies.
9. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

Encl.

⁴ For consultancies in which the adoption of referenced staff rates for additional Services is not applicable, the enhanced fee diving control mechanism shall still be adopted.

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Secretary, EACSB

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Enhancement of Bidding Mechanism for EACSB Consultancies

The following updates (in revision mode) to the provisions in Annex A and Annex A1 promulgated under DEVB memo ref. ref. DEVB(PS) 106/43 dated 28 March 2022 shall be made for EACSB consultancies adopting the enhanced fee diving control mechanism and referenced staff rates for additional Services.

Reference	Updates
Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)	<p>1. Paragraph 5(iv) of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment <u>(being 100% plus the percentage adjustment factors</u> (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the manning schedule at sub-paragraph (ii) of this paragraph.”</p> <p>2. The first sentence of paragraph 8 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“In respect of <u>the percentage adjustment factor for</u> each <u>staff</u> category of staff specified in the prescribed Fee Proposal Proforma for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p>
Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)	<p>1. Paragraph 5(iv) of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment <u>(being 100% plus the percentage adjustment factors</u> (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the manning schedule at sub-paragraph (ii) of this paragraph.”</p>

Reference	Updates
	<p>2. The first sentence of paragraph 8 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“In respect of <u>the percentage adjustment factor for</u> each <u>staff</u> category of staff specified in the prescribed Fee Proposal Proforma for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p>
Appendix 4.2 of EACSB Handbook – Standard Form of Schedule Fees	<p>1. The sentence in the second square blanket in Clause 9(A) is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“* Insert the values in the Agreement <i>the products of the all-inclusive time charge rates in the Fee Proposal Proforma and the percentage adjustment (being 100% plus the percentage adjustment factor (with corrections if necessary) in the Fee Proposal</i> for signing.”</p>

Combined Score Assessment of Technical and Fee Proposals

The combined score assessment of Technical and Fee Proposals will be carried out in accordance with ~~the EACSB Handbook on Selection, Appointment and Administration of Engineering and Associated Consultants and any subsequent related Circulars,~~ DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as shown below:

A. Revised Fee Diving Control Mechanism

1. Thresholds are set at 80% and 100% of the Median Consultancy Fee (Fx) which is the median of consultancy fees of all conforming bids and the pretender estimated consultancy fee worked out by the procuring department for that particular assignment.
2. If the consultancy fee of the bid being assessed falls between 0.8 Fx and 1.0 Fx (both inclusive), it will get the full weighted consultancy fee score.
3. If the consultancy fee of the bid being assessed is higher than 1.0 Fx but not 2.0 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(1 - \frac{\text{Fee of bid being assessed} - Fx}{Fx} \right)$$

4. If the consultancy fee of the bid being assessed is higher than 2.0 Fx, the weighted consultancy fee score will be zero.
5. If the consultancy fee of the bid being assessed is less than 0.8 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(0.6 + 0.4 \times \frac{\text{Fee of bid being assessed}}{0.8 Fx} \right)$$

B. Calculation of Adjusted All-inclusive Time Charge Rates and Adjusted Notional Value for Additional Services

1. The consultants are required to provide on the first page of the Fee Proposal a set of percentage adjustment factors which will be used to calculate the adjusted all-inclusive time charge rates in accordance with paragraph 4 below for the additional Services under the Agreement.
2. The percentage adjustment factors input by the consultants shall not exceed the range of -30% to +30%.

3. The consultant shall not be allowed to make any change to the percentage adjustment factors on the first page of the Fee Proposal, except ~~the when any of the percentage adjustment factors provided by the consultant exceed the allowable range specified in the invitation letter. If the proposed percentage adjustment factors for any category of staff exceed the range specified in the invitation letter, the respective percentage adjustment factors shall be~~ corrections ed as provided below:

- (i) Any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is higher than the upper limit shall be corrected to the upper limit while any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is lower than the lower limit shall be corrected to the lower limit.
- (ii) If the consultant fails to put in any or all of the percentage adjustment factors, the relevant percentage adjustment factors shall be corrected by deeming the factors as zero.
- (iii) The consultant will be requested to confirm that it agrees to abide by its bid with the percentage adjustment factors so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the consultant fails to confirm its agreement to abide by its bid with the factors so corrected by a specified deadline, the consultant's bid shall not be considered further.

4. The adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment are calculated by using the formula below:

$$\begin{array}{l} \text{Adjusted all-} \\ \text{inclusive time} \\ \text{charge rates} \end{array} = \left[\begin{array}{l} \text{Proposed} \\ \text{percentage} \\ \text{adjustment} \end{array} \times \begin{array}{l} \text{All-inclusive time} \\ \text{charge rates in the} \\ \text{Fee Proposal} \\ \text{Proforma} \end{array} \right]$$

where the proposed percentage adjustment is calculated by 100% + percentage adjustment factor (with corrections if necessary) in the Fee Proposal.

5. For the purpose of assessment of the Fee Proposal (i.e. Weighted Consultancy Fee Score), a “consultancy fee” shall be calculated for by summing (a) the lump sum fee (comprising staff costs and non-staff costs), (b) the adjusted notional value for additional Services as calculated by using the formula below, and (c) if applicable, the notional resident site staff on-cost charges.

$$\begin{array}{ccccccc} \text{Adjusted} & & \text{Notional} & & \text{Proposed} & & \text{All-inclusive time} \\ \text{notional value} & = & \text{man-hours} & \times & \text{percentage} & \times & \text{charge rates in the} \\ \text{for additional} & & \text{for additional} & & \text{adjustment} & & \text{Fee Proposal} \\ \text{Services} & & \text{Services} & & & & \text{Proforma} \end{array} \quad \left[\quad \right]$$

where the proposed percentage adjustment is calculated by 100% + percentage adjustment factor (with corrections if necessary) in the Fee Proposal.

6. The checking of the “Specified Percentage Range” requirement in accordance with the DEVB TC(W) No. 2/2016 is not required.

Enhancement of Bidding Mechanism for AACSB Consultancies

The following updates (in revision mode) to the provisions in Annex B and Annex B1 promulgated under DEVB memo ref. ref. DEVB(PS) 106/43 dated 28 March 2022 shall be made for AACSB consultancies adopting the enhanced fee diving control mechanism and referenced staff rates for additional Services.

Reference	Updates
Annex D of Appendix 5.1 of AACSB Handbook (Rev. 28) – Sample Conditions for Submission of Technical & Fee Proposal	<p>1. Paragraph 2(b) of Part B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment <u>(being 100% plus the percentage adjustment factors</u></i> <i>(which are not exceeding the range of -30% to +30%)</i> <i>and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the manning schedule at paragraph B(1) above.”</p> <p>2. The first sentence of paragraph 4 of Part B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“In respect of <u>the percentage adjustment factor for</u> each <u>staff</u> category of staff specified in the prescribed <i>Fee Proposal Proforma</i> for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p>
Annex F of Appendix 5.1 of AACSB Handbook (Rev. 28) – Sample Guidelines on the Preparation of Fee Proposal	<p>1. Paragraph 7(a) is replaced by the following updated version (changes highlighted in bold and italic):</p> <p style="padding-left: 40px;">“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment <u>(being 100% plus the percentage adjustment factors</u></i> <i>(which are not exceeding the range of -30% to +30%)</i> <i>and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the Manning Schedule (with Charge Rate and Fees) included in the Fee Proposal.”</p>

Reference	Updates
Appendix 10 of AACSB Handbook (Rev. 28) – Schedule of Fees	<p>1. The sentence in the second square blanket in Clause 9(A) is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“@ Insert the values in the Agreement <i>the products of the all-inclusive time charge rates in the Fee Proposal Proforma and the percentage adjustment (being 100% plus the percentage adjustment factor (with corrections if necessary) in the Fee Proposal)</i> for signing.”</p>
Annex 3 to Appendix 34 of AACSB Handbook (Rev. 28) – Sample Invitation Letter for Technical and Fee Proposals (Formula Approach)	<p>1. Paragraph 2(b) of Part B of Attachment IV is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment (being 100% plus the percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma,</i> could be different from the staff charge rates indicated in the manning schedule at paragraph B(1) above.”</p> <p>2. The first sentence of paragraph 4 of Part B of Attachment IV is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“In respect of <u>the percentage adjustment factor for each staff category</u> of staff specified in the prescribed <i>Fee Proposal Proforma</i> for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p> <p>3. Paragraph 7(a) of Attachment VI is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment (being 100% plus the percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma,</i> could be different from the staff charge rates indicated in the Manning Schedule</p>

Reference	Updates
	(with Charge Rate and Fees) included in the Fee Proposal.”

Combined Score Assessment of Technical and Fee Proposals

The combined score assessment of Technical and Fee Proposals will be carried out in accordance with ~~the AACSB Handbook on Selection, Appointment and Administration of Architectural and Associated Consultants and any subsequent related Circulars~~, DEVB TC(W) No. 2/2016 and their subsequent updates (if any) with amendments as shown below:

A. Revised Fee Diving Control Mechanism

1. Thresholds are set at 80% and 100% of the Median Consultancy Fee (Fx) which is the median of consultancy fees of all conforming bids and the pretender estimated consultancy fee worked out by the procuring department for that particular assignment.
2. If the consultancy fee of the bid being assessed falls between 0.8 Fx and 1.0 Fx (both inclusive), it will get the full weighted consultancy fee score.
3. If the consultancy fee of the bid being assessed is higher than 1.0 Fx but not 2.0 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(1 - \frac{\text{Fee of bid being assessed} - Fx}{Fx} \right)$$

4. If the consultancy fee of the bid being assessed is higher than 2.0 Fx, the weighted consultancy fee score will be zero.
5. If the consultancy fee of the bid being assessed is less than 0.8 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(0.6 + 0.4 \times \frac{\text{Fee of bid being assessed}}{0.8 Fx} \right)$$

B. Calculation of Adjusted All-inclusive Time Charge Rates and Adjusted Notional Value for Additional Services

1. The consultants are required to provide on the first page of the Fee Proposal a set of percentage adjustment factors which will be used to calculate the adjusted all-inclusive time charge rates in accordance with paragraph 4 below for the additional Services under the Agreement.
2. The percentage adjustment factors input by the consultants shall not exceed the range of -30% to +30%.

3. The consultant shall not be allowed to make any change to the percentage adjustment factors on the first page of the Fee Proposal, except ~~the when any of the percentage adjustment factors provided by the consultant exceed the allowable range specified in the invitation letter. If the proposed percentage adjustment factors for any category of staff exceed the range specified in the invitation letter, the respective percentage adjustment factors shall be~~ corrections ed as provided below:

- (i) Any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is higher than the upper limit shall be corrected to the upper limit while any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is lower than the lower limit shall be corrected to the lower limit.
- (ii) If the consultant fails to put in any or all of the percentage adjustment factors, the relevant percentage adjustment factors shall be corrected by deeming the factors as zero.
- (iii) The consultant will be requested to confirm that it agrees to abide by its bid with the percentage adjustment factors so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the consultant fails to confirm its agreement to abide by its bid with the factors so corrected by a specific deadline, the consultant's bid shall not be considered further.

4. The adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment are calculated by using the formula below:

$$\begin{array}{l} \text{Adjusted all-} \\ \text{inclusive time} \\ \text{charge rates} \end{array} = \left[\begin{array}{l} \text{Proposed} \\ \text{percentage} \\ \text{adjustment} \end{array} \times \begin{array}{l} \text{All-inclusive time} \\ \text{charge rates in the} \\ \text{Fee Proposal} \\ \text{Proforma} \end{array} \right]$$

where the proposed percentage adjustment is calculated by 100% + percentage adjustment factor (with corrections if necessary) in the Fee Proposal.

5. For the purpose of assessment of the Fee Proposal (i.e. Weighted Consultancy Fee Score), a "consultancy fee" shall be calculated for by summing (a) the lump sum fee (comprising staff costs and non-staff costs), (b) the adjusted notional value for additional Services as calculated by using the formula below, and (c) if applicable, the notional resident site staff on-cost charges.

(Updated on 30.09.2022)

Adjusted notional value for additional Services	= Σ [Notional man-hours for additional Services	x	Proposed percentage adjustment	x	All-inclusive time charge rates in the Fee Proposal Proforma]
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where the proposed percentage adjustment is calculated by 100% + percentage adjustment factor (with corrections if necessary) in the Fee Proposal.

- The checking of the “Specified Percentage Range” requirement in accordance with the DEVB TC(W) No. 2/2016 is not required.

5. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

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MEMO

From Secretary for Development
Ref. () in DEVB(PS) 106/43
Tel. No. 3509 8279
Fax No. 2905 1181
Date 29 August 2022

To Distribution
(Attn: _____ *)*
Your Ref. _____
Dated _____ *Fax No.* _____
Total Pages 2

EACSB Consultancies
Reference Average Resident Site Staff Costs

Pursuant to paragraph 2 of the DEVB's memo under the same series dated 25 August 2022 regarding the minimum Resident Site Staff (RSS) on-cost rates for EACSB consultancies, project teams are required to input the reference average RSS cost of each collective rank in the fee proforma when preparing the invitation documents. In this regard, the table indicating the reference average RSS costs to be included in the invitation documents is shown below:

Collective Ranks	R1	R2	R3	R4	R5
Reference Average RSS Cost (HK\$/man-month)	172,150	129,688	86,843	50,804	24,277

2. DEVB will review and update the above costs from time to time as appropriate.
3. Please bring this memo to the attention of the project officers who are responsible for administration and management of consultancy agreements.
4. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(Y K H O)
for Secretary for Development

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6. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(Y K H O)
for Secretary for Development

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Secretary, AACSB

Internal

CAS(W)7, TL(WPR), AS(WPR)2, AS(WP4)5, AS(WP4)7

Reference	Updates
<p>Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage) [Without implementation of the adoption of reference staff rates for additional Services as promulgated on 28 March 2022]</p>	<p>1. Paragraph 10 of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to insert the all-inclusive time charge rates in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “additional Services” and the on-cost rate in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you fail to put in any or all of <i>the all-inclusive time charge rates</i>, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. <i>If you fail to put in any of the RSS on-cost rates (except for R10) in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff” (“RSS Proforma”), the relevant rate shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. If any of the rates (except for R10) you entered in the RSS Proforma is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. The reference average RSS cost for each collective rank can be found in the RSS Proforma. If you fail to put in the RSS on-cost rate for R10 in the RSS Proforma, the relevant rate shall be corrected by deeming the same as zero.</i> We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with</p>

Reference	Updates
	<p>Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</p>
<p>Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage) [With implementation of the adoption of reference staff rates for additional Services as promulgated on 28 March 2022 (highlighted in grey, bold and italic)]</p>	<p>1. Paragraph 10 of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to <i>insert the on-cost rate</i> in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. <i>If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment.</i> <i>If you fail to put in any of the RSS on-cost rates (except for R10) in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff” (“RSS Proforma”), the relevant rate shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. If any of the rates (except for R10) you entered in the RSS Proforma is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. The reference average RSS cost for each collective rank can be found in the RSS Proforma. If you fail to put in the RSS on-cost rate for R10 in the RSS Proforma, the relevant rate shall be corrected by deeming the same as zero. We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide</i></p>

Reference	Updates
	<p>by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</p>
<p>Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage) [Without implementation of the adoption of reference staff rates for additional Services as promulgated on 28 March 2022]</p>	<p>1. Paragraph 10 of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to insert the all-inclusive time charge rates in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “additional Services” and the on-cost rate in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you fail to put in any or all of <i>the all-inclusive time charge rates</i>, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. <i>If you fail to put in any of the RSS on-cost rates (except for R10) in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff” (“RSS Proforma”), the relevant rate shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. If any of the rates (except for R10) you entered in the RSS Proforma is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall</i></p>

Reference	Updates
	<p><i>be corrected to 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. The reference average RSS cost for each collective rank can be found in the RSS Proforma. If you fail to put in the RSS on-cost rate for R10 in the RSS Proforma, the relevant rate shall be corrected by deeming the same as zero. We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</i></p>
<p>Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage) [With implementation of the adoption of reference staff rates for additional Services as promulgated on 28 March 2022 (highlighted in grey, bold and italic)]</p>	<p>1. Paragraph 10 of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to <i>insert the on-cost rate</i> in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. <i>If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you fail to put in any of the RSS on-cost rates (except for R10) in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff” (“RSS Proforma”), the relevant rate shall be corrected by deeming the same as 5% of the reference average RSS cost of the corresponding collective rank rounded</i></p>

Reference	Updates
	<p><i>up to the nearest cent. If any of the rates (except for R10) you entered in the RSS Proforma is lower than 5% of the reference average RSS cost of the corresponding collective rank, the relevant rate shall be corrected to 5% of the reference average RSS cost of the corresponding collective rank rounded up to the nearest cent. The reference average RSS cost for each collective rank can be found in the RSS Proforma. If you fail to put in the RSS on-cost rate for R10 in the RSS Proforma, the relevant rate shall be corrected by deeming the same as zero. We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</i></p>

Appendix 3.13 of
EACSB Handbook –
Sample Fee Proforma

1. The table for RSS on-cost rate of each collective rank on Page 1 is replaced by the following updated version (changes highlighted in ***bold and italic***):

Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer	RSS on-cost rate of each collective rank (HK\$/man-month) [#]
^ R1	
^ R2	
^ R3	
^ R4	
^ R5	
^ R10	

Remarks:

The RSS on-cost rate of each collective rank (except R10) shall not be less than 5% of the reference average RSS cost of the corresponding collective rank given in the table below and are subject to correction in accordance with DEVB TC(W) No. 5/2018 and paragraph [] **【Insert appropriate paragraph number】** of the Invitation Letter for Submission of Technical and Fee Proposals.

2. The table for notional number of man-months of each collective rank on Page 2 is replaced by the following updated version (changes highlighted in ***bold and italic***):

Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer	^{\$}Reference average RSS cost (HK\$/man-month)	^{\$}Notional number of man-months of each collective rank (man-month)
^ R1		
^ R2		
^ R3		
^ R4		
^ R5		
^ R10		

5. If you have any enquiries, please contact Mr C Y Wong, AS(WP4)5 (tel. no. 3655 5282).

(Y K H O)
for Secretary for Development

Encl.

Distribution (w/encl.)

DArchS (Attn.: Mr Michael Li)
DCED (Attn.: Mr C H Lai)
D of DS (Attn.: Mr Peter Chui)
DEMS (Attn.: Mr Y F Cheung)
D of Hy (Attn.: Mr W K Ng)
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DHA (Attn.: Mr Paul Au)
D of Lands (Attn.: Mr Martin Lee)
D of Plan (Attn.: Ms Maggie Chin)
DSW (Attn.: Mr Alan Yung)
C for T (Attn.: Mr Tony Yau)
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SED (Attn.: Mr Samuel Fan)
SCST (Attn.: Mr Edwin Wong)
STL (Attn.: Mr Kelvin Ng)
SDEV (Attn.: Mr K C King)
Secretary, EACSB
Secretary, AACSB

Internal

CAS(W)7, TL(WPR), AS(WPR)2, AS(WP4)5, AS(WP4)7

Reference	Updates
Section 3.2.4 of AACSB Handbook	<p>The following new section is added:</p> <p>3.2.4 Avoidance of Unnecessary Bundling of Consultancies</p> <p>Proper packaging of consultancies for public works projects can help capitalise economics of scale, achieve administrative efficiency, and minimise interface issues. However, unnecessary bundling of consultancies may deprive tender opportunities of small and medium-sized consultants, which may in turn affect the healthy development of the consulting sector as a whole.</p> <p>In packaging consultancies, departments should not bundle them into bigger ones merely for the sake of administrative convenience unless there is strong justifications to do so. Instead, departments should consider splitting consultancies into smaller and manageable sizes, where practicable, with due regard to the nature and requirements of each project as well as how the tender opportunities of small and medium-sized consultants can be enhanced.</p>
Section 3.4.5 of EACSB Handbook	<p>The following new section is added:</p> <p>3.4.5 Avoidance of Unnecessary Bundling of Consultancies</p> <p>Proper packaging of consultancies for public works projects can help capitalise economics of scale, achieve administrative efficiency, and minimise interface issues. However, unnecessary bundling of consultancies may deprive tender opportunities of small and medium-sized consultants, which may in turn affect the healthy development of the consulting sector as a whole.</p> <p>In packaging consultancies, departments should not bundle them into bigger ones merely for the sake of administrative convenience unless there is strong justifications to do so. Instead, departments should consider splitting consultancies into smaller and manageable sizes, where practicable, with due regard to the nature and requirements of each project as well as how the tender opportunities of small and medium-sized consultants can be enhanced.</p>

5. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

Distribution

DArchS (Attn: Mr Edward Tse)
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D of SW (Attn: Ms Rio Kwok)
C for T (Attn: Ms Vilian Sum)
D for H (Attn: Mr Stephen Leung)
EDB (Attn: Mr Louis Wong)
HAB (Attn: Mr Keith Man)
STH (Attn: Mr K F Choi)
SDEV (Attn: Mr W H Cheng)
SFST (Attn: Mr Denny Ho)
LA(W) (Attn: Ms Ada Chen)

Secretary, AACSB

Secretary, EACSB

Internal: PAS(W)4, CAS(W)7, TL(WPR), AS(WP4)5, AS(WPR)2, E(WPR)SD

if its proposed fee is lower than 80% of the median fee¹. We notice that, under the stiff market competition, bidders tend to propose much lower fees in order to secure the full fee score.

4. In view of the above, we have enhanced the fee diving control mechanism by introducing a “score reduction system” to deal with low bids. In the enhanced mechanism, a bidder will obtain full fee score if its proposed fee lies between 80% and 100% of the median fee. However, similar to the bids with fees higher than the median fee, there will be a reduction in the fee score if the proposed fee is lower than 80% of the median fee. In other words, at the onset of the 80% of the median fee, the lower the proposed fee is, the more the fee score will be deducted.

Adoption of referenced staff rates for additional Services

5. Currently, bidders are required to propose in the fee proposal all-inclusive time charge rates for different staff categories, which will be used for determining the consultant’s remuneration under additional Services. Under the stiff competition environment, we observe that bidders tend to propose all-inclusive time charge rates much lower than the corresponding market rates, in order to enhance their competitive edge in the bidding exercise.

6. To address the above issue, we will promulgate a set of referenced staff rates for individual staff categories from time to time with reference to the latest relevant government staff rates. The project teams will have to include such set of referenced staff rates in the fee proformas when preparing the invitation documents. Bidders will be required to propose in their fee proposals the percentage adjustment factors (i.e. $\pm 30\%$) for individual staff categories to suit their bidding strategy. The multiplication of the percentage adjustment factors proposed and the corresponding referenced staff rates will be the adjusted all-inclusive time charge rates for the consultancy which will be used for assessing tender and determining the consultant’s remuneration under additional Services. Under this enhanced mechanism, the checking of whether the Specified Percentage Range requirements are met is no longer required.

7. The relevant provisions for the enhanced fee diving control mechanism and the adoption of referenced staff rates for additional Services are attached at **Annexes A and B** for EACSB and AACSB consultancies respectively.

¹ It refers to the median of the fees of all conforming bids (including the pre-tender estimate).

Implementation

8. The enhancement measures as mentioned in paragraphs 4 and 6 above will be implemented in stages. In the first stage, the enhancement measures will be applied to the following EACSB and AACSB (including DCSC) consultancies:

- (i) with the pre-tender estimate (PTE) equal to or less than \$30M²; and
- (ii) with EOI submission (or T&F Proposal for one-stage process) to be invited on or after **29 April 2022**.

9. Project teams are advised to make sufficient allowance in their budgets for these consultancies to cater for the potential cost implication. If the project teams have already obtained funding or made funding applications for the consultancies, and are of the view that the adoption of the above enhancement measures may render the funding approved or under application inadequate, they should seek prior approval from DEVB for not adopting the enhanced measures.

10. For consultancies with the PTE greater than \$30M, project teams are encouraged to adopt the above enhancement measures if there are sufficient funding in their project votes to cater for the potential cost implication arising from the adoption of the enhancement measures. In such cases, the project teams should inform DEVB for record purposes.

11. A review on the effectiveness of the above enhancement measures will be conducted in due course to determine if appropriate adjustments should be made before we proceed to the next stage of implementation.

Unreasonably Low Bid

12. As a related matter, with the implementation of the above enhancement measures, project teams are still required to assess the reasonableness of the lump sum fee submitted by the bidders. In this connection, please be reminded that under DEVB's memo ref. (WPR) 305/01/99 dated 27 October 2021, any suspected unreasonably low bid with a proposed lump sum fee less than 60% of the PTE OR the median fee should normally NOT be recommended unless strong justifications are provided.

² It refers to the pre-tender estimate without making any allowance for adoption of the enhancement measures in paragraphs 4 and 6, and the same should be used in the selection process of consultants (e.g. determination of group of consultants to be invited and determination of the median fee). This arrangement will be adopted for the first stage of the implementation of such measures.

13. Please bring this memo to the attention of the officers responsible for managing consultancies.

14. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

Encl.

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Internal: PAS(W)4, CAS(W)7, TL(WPR), AS(WP4)5, AS(WPR)2, E(WPR)SD

Enhancement of Bidding Mechanism for EACSB Consultancies

The following amendments to the sample templates of invitation documents shall be made for EACSB consultancies adopting the enhanced fee diving control mechanism and referenced staff rates for additional Services.

Reference	Updates
Annex A of DEVB memo ref DEVB(PS) 106/43 dated 18 November 2021 – Revision to Requirements on Specified Percentage Range	<p>1. The amendments promulgated in Annex A of the memo regarding the revision to requirements on Specified Percentage Range are superseded.</p>
Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)	<p>1. Paragraph 5(iv) of the letter is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the manning schedule at sub-paragraph (ii) of this paragraph.”</p> <p>2. The paragraph 6 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“We shall <u>not</u> accept any Fee Proposal <i>where the</i> lump sum fee on the first page of the Fee Proposal is different from the total fee for the staff and non-staff charges for all stages in the summary breakdown of lump sum fee; or</p> <p><i>(ii) — the percentage difference between the “staff rates for additional Services” and the “staff rates in lump sum fee” exceeds the “Specified Percentage Range”.</i>”</p> <p>3. The last sentence of paragraph 7 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“You are not, however, allowed to make any adjustment to the lump</p>

Reference	Updates
	<p>sum fee, <i>the percentage adjustment factors for calculating the adjusted</i> all-inclusive time charge rates <i>for additional Services</i> and on-cost rates on the first page of the Fee Proposal (<i>except for the necessary corrections of the percentage adjustment factors pursuant to paragraph 9a below</i>).”</p> <p>4. The first sentence of paragraph 8 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“In respect of each category of staff specified in the prescribed Fee Proposal Proforma for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p> <p>5. A new paragraph 9a is added as below:</p> <p>“Your attention is drawn to the requirement to insert the percentage adjustment factors not exceeding the range of -30% to +30% for calculating the adjusted all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed Fee Proposal Proforma, which are essential for bid assessment purpose and the adjusted all-inclusive time charge rates will be used for payment of additional Services/management of the Consultants upon award of the Assignment. If you fail to put in any or all of these factors, the relevant factor(s) shall be corrected by deeming the factor(s) as zero. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is higher than the upper limit of +30%, the relevant percentage adjustment factor(s) shall be corrected to such upper limit. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is lower than the lower limit of -30%, the relevant percentage adjustment factor(s) shall be corrected to such lower limit. We will seek confirmation from you to abide by the bid with the relevant factor(s) so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with</p>

Reference	Updates
	<p>the factor(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals will then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or factors with such factor(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the factor(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</p> <p>6. The first two sentences of paragraph 10 are replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to <i>insert the on-cost rate</i> in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. <i>If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment.</i>”</p> <p>7. The second last sentence of paragraph 10 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed.”</p> <p>8. The second last sentence of paragraph 11 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p>

Reference	Updates
	<p>“If you confirm your agreement to abide by the bid with units corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with units so corrected and confirmed.”</p> <p>9. The first sentence of paragraph 19 is replaced by the following updated version (changes highlighted in bold and italic):</p> <p>“Subject to the Government’s right to reject bids which are considered to have been priced unreasonably low, the selection of consultants will be determined on the basis of a combined score assessment of Technical and Fee Proposals in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】.”</p>
<p>Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)</p>	<p>1. Paragraph 5(iv) of the letter is replaced by the following updated version (changes highlighted in bold and italic):</p> <p>“The adjusted all-inclusive time charge rates for additional Services, which are calculated by multiplying the proposed percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma, could be different from the staff charge rates indicated in the manning schedule at sub-paragraph (ii) of this paragraph.”</p> <p>2. The paragraph 6 is replaced by the following updated version (changes highlighted in bold and italic):</p> <p>“We shall <u>not</u> accept any Fee Proposal where the lump sum fee on the first page of the Fee Proposal is different from the total fee for the staff and non-staff charges for all stages in the summary breakdown of lump sum fee; or</p> <p>(ii) the percentage difference between the “staff rates for additional Services” and the “staff rates in lump sum fee” exceeds the “Specified Percentage Range”.”</p>

Reference	Updates
	<p>3. The last sentence of paragraph 7 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“You are not, however, allowed to make any adjustment to the lump sum fee, <i>the percentage adjustment factors for calculating the adjusted</i> all-inclusive time charge rates <i>for additional Services</i> and on-cost rates on the first page of the Fee Proposal (<i>except for the necessary corrections of the percentage adjustment factors pursuant to paragraph 9a below</i>).”</p> <p>4. The first sentence of paragraph 8 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“In respect of each category of staff specified in the prescribed Fee Proposal Proforma for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p> <p>5. A new paragraph 9a is added as below:</p> <p>“Your attention is drawn to the requirement to insert the percentage adjustment factors not exceeding the range of -30% to +30% for calculating the adjusted all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed Fee Proposal Proforma, which are essential for bid assessment purpose and the adjusted all-inclusive time charge rates will be used for payment of additional Services/management of the Consultants upon award of the Assignment. If you fail to put in any or all of these factors, the relevant factor(s) shall be corrected by deeming the factor(s) as zero. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is higher than the upper limit of +30%, the relevant percentage adjustment factor(s) shall be corrected to such upper limit. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is lower than the lower limit of -30%, the relevant percentage adjustment factor(s) shall be corrected to such lower limit. We will seek confirmation from you to abide by the bid with the relevant</p>

Reference	Updates
	<p>factor(s) so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the factor(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals will then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) with amendments as stated in Annex ____ to this letter 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or factors with such factor(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the factor(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”</p> <p>6. The first two sentences of paragraph 10 are replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to <i>insert the on-cost rate</i> in respect of each category of staff specified in the prescribed Fee Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment. <i>If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment.</i>”</p> <p>7. The second last sentence of paragraph 10 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex A1 as an Annex to this letter】 on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed.”</p>

Reference	Updates
	<p>8. The second last sentence of paragraph 11 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“If you confirm your agreement to abide by the bid with units corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> <i>【Include Annex A1 as an Annex to this letter</i> on the basis of the proposed fee and/or rates with units so corrected and confirmed.”</p> <p>9. The last sentence of paragraph 14 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Upon completion of the assessment of Technical Proposals, Fee Proposals of those consultants that are considered technically capable of undertaking this Assignment will normally be opened and combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter.</i> <i>【Inclusion of Annex C and Annex A1 as Annexes to this letter.】</i>”</p> <p>10. The first sentence of paragraph 25 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Subject to the Government’s right to reject bids which are considered to have been priced unreasonably low, the selection of consultants will be determined on the basis of a combined score assessment of Technical and Fee Proposals in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> <i>【Include Annex A1 as an Annex to this letter】</i>.”</p>

Reference	Updates
Appendix 3.4B of EACSB Handbook – Sample Template for Guidelines on Preparation of Technical Proposal	<p>1. Paragraph (6) of Part (B) – Marking Scheme is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to the invitation letter [Include Annex A1 as an Annex to the invitation letter]</i>.”</p>
Appendix 3.13 of EACSB Handbook – Sample Fee Proforma	<p>1. The first three pages of the Sample Fee Proforma are replaced by those in Annex A2.</p> <p>2. The first sentence of paragraph i of the Notes on the Preparation of Fee Proposals is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Before the Fee Proposal forms are sent to the shortlisted consultants, the Client Department must enter the Agreement title and number, the technical/ consultancy fee/ fee quality weighting, the notional man-hours for additional Services, <i>the latest set of all-inclusive time charge rates published by DEVB</i> and the date on which the completed proposal must be delivered.”</p> <p>3. The paragraph 3 of the Notes on the Preparation of Fee Proposals is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>percentage adjustment factors</i> entered in the Fee Proposal <i>for calculating the adjusted all-inclusive time charge rates for additional Services</i> will be used for payment for additional Services not covered by the Brief. In addition, <i>the adjusted all-inclusive time charge rates for additional Services</i> will be applied with the notional man-hours for additional Services to arrive at the ‘adjusted notional value for additional Services’ to be used for fee assessment purposes. Please refer to the Schedule of Fees for details.”</p> <p>4. The paragraph 8 of the Notes on the Preparation of Fee Proposals is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p>

Reference	Updates
	<p>“Combined score assessment of Technical and Fee Proposals will be carried out in accordance with the EACSB Handbook on Selection, Appointment and Administration of Engineering and Associated Consultants and any subsequent related Circulars, DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to the invitation letter</i> 【Include Annex A1 as an Annex to the invitation letter】.”</p>
<p>Appendix 4.2 of EACSB Handbook – Standard Form of Schedule Fees</p>	<ol style="list-style-type: none"> 1. The terms “all-inclusive hourly rates” in Clauses 9(A) to 9(G) are revised to “adjusted all-inclusive hourly rates”. 2. The sentence in the second square blanket in Clause 9(A) is replaced by the following updated version (changes highlighted in <i>bold and italic</i>): <p>“* Insert the values in the Agreement <i>the products of the all-inclusive time charge rates in the Fee Proposal Proforma and the percentage adjustment in the Fee Proposal</i> for signing.”</p>

Combined Score Assessment of Technical and Fee Proposals

The combined score assessment of Technical and Fee Proposals will be carried out in accordance with the EACSB Handbook on Selection, Appointment and Administration of Engineering and Associated Consultants and any subsequent related Circulars, DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any) with amendments as shown below:

A. Revised Fee Diving Control Mechanism

1. Thresholds are set at 80% and 100% of the Median Consultancy Fee (Fx) which is the median of consultancy fees of all conforming bids and the pretender estimated consultancy fee worked out by the procuring department for that particular assignment.
2. If the fee of the bid being assessed falls between 0.8 Fx and 1.0 Fx (both inclusive), it will get the full weighted consultancy fee score.
3. If the fee of the bid being assessed is higher than 1.0 Fx but not 2.0 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(1 - \frac{\text{Fee of bid being assessed} - F_x}{F_x} \right)$$

4. If the fee of the bid being assessed is higher than 2.0 Fx, the weighted consultancy fee score will be zero.
5. If the fee of the bid being assessed is less than 0.8 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(0.6 + 0.4 \times \frac{\text{Fee of bid being assessed}}{0.8 F_x} \right)$$

B. Calculation of Adjusted All-inclusive Time Charge Rates and Adjusted Notional Value for Additional Services

1. The consultants are required to provide on the first page of the Fee Proposal a set of percentage adjustment factors which will be used to calculate the adjusted all-inclusive time charge rates in accordance with paragraph 4 below for the additional Services under the Agreement.
2. The percentage adjustment factors input by the consultants shall not exceed the range of -30% to +30%.

3. The consultant shall not be allowed to make any change to the percentage adjustment factors on the first page of the Fee Proposal, except when any of the percentage adjustment factors provided by the consultant exceed the allowable range specified in the invitation letter. If the proposed percentage adjustment factors for any category of staff exceed the range specified in the invitation letter, the respective percentage adjustment factors shall be corrected as below:
- (i) Any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is higher than the upper limit shall be corrected to the upper limit while any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is lower than the lower limit shall be corrected to the lower limit.
 - (ii) If the consultant fails to put in any or all of the percentage adjustment factors, the relevant percentage adjustment factors shall be corrected by deeming the factors as zero.
 - (iii) The consultant will be requested to confirm that it agrees to abide by its bid with the percentage adjustment factors so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the consultant fails to confirm its agreement to abide by its bid with the factors so corrected, the consultant's bid shall not be considered further.
4. The adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment are calculated by using the formula below:

$$\text{Adjusted all-inclusive time charge rates} = \left[\frac{\text{Proposed percentage adjustment}}{\text{All-inclusive time charge rates in the Fee Proposal Proforma}} \right]$$

5. For the purpose of assessment of the Fee Proposal (i.e. Weighted Consultancy Fee Score), a "consultancy fee" shall be calculated for by summing (a) the lump sum fee (comprising staff costs and non-staff costs), (b) the adjusted notional value for additional Services as calculated by using the formula below, and (c) if applicable, the notional resident site staff on-cost charges.

$$\text{Adjusted notional value for additional Services} = \sum \left[\frac{\text{Notional man-hours for additional Services} \times \text{Proposed percentage adjustment}}{\text{All-inclusive time charge rates in the Fee Proposal Proforma}} \right]$$

6. The checking of the “Specified Percentage Range” requirement in accordance with the DEVB TC(W) No. 2/2016 is not required.

RESTRICTED (CONTRACT)
ENGINEERING & ASSOCIATED CONSULTANTS SELECTION BOARD
FEE PROPOSAL
for

(Agreement No. _____)

submitted by

PROPOSED LUMP SUM FEE (L) # HK\$ _____

Remarks:

The Proposed Lump Sum Fee shall be equal to the total fee for the Staff Charges and Non-Staff Charges for all stages in the summary breakdown in Part A.

ALL-INCLUSIVE TIME CHARGE RATES FOR ADDITIONAL SERVICES @

Staff Category	All-inclusive time charge rate (HK\$/man-hour) +	Percentage Adjustment Factor (%) <
&Partners/Directors (P/D)		
&Chief Professional Staff (CP)		
&Senior Professional Staff (SP)		
&Professional Staff (P)		
&Assistant Professional Staff (AP)		
&Technical Staff (T)		

Remarks:

< The percentage adjustment factors for additional Services shall not exceed the range of -30% to +30% and are subject to correction in accordance with DEVB TC(W) No. 5/2018 and paragraph [] 【Insert appropriate paragraph number】 of the Invitation Letter for Submission of Technical and Fee Proposals.

* The Resident Site Staff (“RSS”) on-cost rates are:

Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer	RSS on-cost rate of each collective rank (\$/man-month)
^ R1	
^ R2	
^ R3	
^ R4	
^ R5	
^ R10	

Signed _____

Date _____

(_____)

Technical/ Consultancy Fee/ Fee Quality weighting for this consultancy = %/ %/ 10%

[§]Notional man-hours for additional Services

- &Partners/Directors (P/D) =
- &Chief Professional Staff (CP) =
- &Senior Professional Staff (SP) =
- &Professional Staff (P) =
- &Assistant Professional Staff (AP) =
- &Technical Staff (T) =

* The notional numbers of man-months of collective ranks of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer are listed in the table below. The RSS on-cost rates in the Fee Proposal will be applied with the notional numbers of man-months to arrive at the “notional RSS on-cost charges” to be used for purpose of the combined score assessment of Technical and Fee Proposals.

Collective rank of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer	[§] Notional number of man-months of each collective rank (man-month)
^ R1	
^ R2	
^ R3	
^ R4	
^ R5	
^! R10	

* The notional RSS establishment is given in **Attachment A**.

* The details of the collective ranks of RSS directly employed by the Consultants or Government staff posted to the Consultants by the Employer are in Clause SCE YY [Insert the clause no.] of the Special Conditions of Employment.

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Two signed copies of this Fee Proposal must be delivered by hand before 12:00 noon on _____ to:

Chairman, EACSB,
 Director of Civil Engineering and Development,
 15/F, Civil Engineering and Development Building,
 101, Princess Margaret Road,
 Ho Man Tin, Kowloon.

The Proposal must be in a sealed envelope marked "EACSB Fee Proposal for Agreement No. _____, submitted by _____".

=====

Notes on the preparation of this Fee Proposal are given on Pages 9 & 10 of this Appendix

Remarks:

- & *To be modified as appropriate; other categories for specialist staff as suggested at Appendix 3.13A of the EACSB Handbook may be incorporated as appropriate. [only for reference of the department’s staff]*
- + *To be inserted by managing department based on the latest set of all-inclusive time charge rates published by DEVB before invitation of Technical and Fee Proposals. [only for reference of the department’s staff]*
- * *To be deleted if not relevant. [only for reference of the department’s staff]*

- [^] *Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department. [only for reference of the department's staff]*
- ^{\$} *To be inserted by managing department before invitation of Technical and Fee Proposals. [only for reference of the department's staff]*
- [!] *Please provide the further breakdown of notional number of man-months for Government staff to be posted for "Design Training" and "Site Training" if appropriate. [only for reference of the department's staff]*

Enhancement of Bidding Mechanism for AACSB Consultancies

The following amendments to the sample templates of invitation documents shall be made for AACSB consultancies adopting the enhanced fee diving control mechanism and referenced staff rates for additional Services.

Reference	Updates
Appendix 5.1 of AACSB Handbook (Rev. 28) – Sample Letter of Invitation for Technical and Fee Proposals (Conventional Approach)	<p>1. The second last sentence of paragraph 5 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“If you confirm your agreement to abide by the bid with units corrected, the assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> <i>【Include Annex B1 as an Annex to this letter</i>】 on the basis of the proposed fee and/or rates with units so corrected and confirmed.”</p> <p>2. Paragraph 7 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p style="padding-left: 40px;">“Your attention is drawn to the requirement to insert the <i>percentage adjustment factors not exceeding the range of -30% to +30% for calculating the adjusted</i> all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed <i>Fee Proposal Proforma</i>, which are essential for bid assessment purpose and <i>the adjusted all-inclusive time charge rates</i> will be used for payment of additional Services/management of the Consultants upon award of the Assignment. If you fail to put in any or all of these factors, the relevant <i>factor(s)</i> shall be corrected by deeming the <i>factor(s)</i> as zero. If the <i>percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services</i> for any or all of the categories of staff is higher than <i>the upper limit of +30%</i>, the relevant <i>percentage adjustment factor(s)</i> shall be corrected to <i>such upper limit</i>. If the <i>percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services</i> for any or all of the categories of staff is lower than <i>the lower limit of -30%</i>, the relevant <i>percentage adjustment factor(s)</i> shall be corrected to <i>such lower limit</i>. We will seek confirmation from you to abide by the bid</p>

Reference	Updates
	<p>with the relevant <i>factor(s)</i> so corrected for <i>calculating the adjusted all-inclusive time charge rates</i> for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the factor(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter 】 on the basis of the proposed fee and/or <i>factors</i> with such <i>factor(s)</i> so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the <i>factor(s)</i> so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise. <i>Checking of the “Specified Percentage Range” requirement is set out at Appendix 7.1 of the AACSB Handbook.</i>—You should also refer to the Conditions for Submission of Technical and Fee Proposals at Annex D and the Guidelines on the Preparation of Fee Proposal at Annex F for the details.</p> <p><i>[** “staff rates in lump sum fee”, “staff rates for additional Services” and their percentage difference are to be determined in the manner as set out in Section 3.12 and Appendix 7.1 of the AACSB Handbook.]”</i></p> <p>3. Paragraph 16 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Upon completion of the assessment of Technical Proposals, Fee Proposals of those consultants that are considered technically capable of undertaking this Consultancy Agreement will normally be opened and combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) No. 2/2016 and its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter 】.”</p> <p>4. Note 2 of paragraph 18A and 18B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The combined score will be determined in accordance with paragraph 14 of Development Bureau Technical Circular (Works) No. 2/2016 and</p>

Reference	Updates
	<p>its subsequent updates (if any) <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter】.”</p>
<p>Annex D of Appendix 5.1 of AACSB Handbook (Rev. 28) – Sample Conditions for Submission of Technical & Fee Proposal</p>	<ol style="list-style-type: none"> <li data-bbox="470 353 1430 772"> <p>1. Paragraph 2(b) of Part B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment factors (which are not exceeding the range of -30% to +30%)</i> and the all-inclusive time charge rates in the <i>Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the manning schedule at paragraph B(1) above.”</p> <li data-bbox="470 835 1430 1254"> <p>2. The last sentence of paragraph 2(d) of Part B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“You are not, however, allowed to make any adjustment to the lump sum fee, <i>the percentage adjustment factors for calculating the adjusted</i> all-inclusive time charge rates <i>for additional Services</i> and on-cost rates on the first page of the Fee Proposal (<i>except for the necessary corrections of the percentage adjustment factors pursuant to paragraph 7 of the invitation letter</i>).”</p> <li data-bbox="470 1317 1430 1635"> <p>3. The first sentence of paragraph 4 of Part B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“In respect of each category of staff specified in the prescribed <i>Fee Proposal Proforma</i> for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p> <li data-bbox="470 1697 1430 2112"> <p>4. Paragraph 7 of Part B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Your attention is drawn to the requirement to insert the <i>percentage adjustment factors for calculating the adjusted all-inclusive</i> time charge rate for additional Services and the on-cost rate or the all-inclusive rate for "Direct Employment/Deployment of Resident Site Staff" (if any), which information is essential for bid comparison purpose and for payment/management of the Consultants upon award</p>

Reference	Updates
	<p>of the Assignment. If a zero <i>factor</i>/rate is inserted for any or all of these <i>factors or</i> rates or you fail to put in any or all of these <i>factors</i>/rates, the relevant <i>factor(s)</i>/rate(s) shall be corrected by deeming the <i>factor(s)</i>/rate(s) as zero for bid comparison purpose and for payment/management of the Consultants upon award of the Assignment. We will then seek confirmation from you to abide by the bid with the relevant <i>factor(s)</i>/rate(s) so corrected. If you confirm your agreement to abide by the bid with the <i>factor(s)</i>/rate(s) so corrected, the assessment of technical and fee proposals would then be completed in the prescribed manner in accordance with the AACSB Handbook <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter】 on the basis of the proposed fee and/or <i>factors</i>/rates with such <i>factor(s)</i>/rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the <i>factor(s)</i>/rate(s) so corrected in writing by a specified deadline, your bid shall not be considered further for this consultants selection exercise.”</p>
<p>Annex F of Appendix 5.1 of AACSB Handbook (Rev. 28) – Sample Guidelines on the Preparation of Fee Proposal</p>	<ol style="list-style-type: none"> <li data-bbox="470 1041 1428 1512">1. Paragraph 7(a) is replaced by the following updated version (changes highlighted in <i>bold and italic</i>): <p>“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the Manning Schedule (with Charge Rate and Fees) included in the Fee Proposal.”</p> <li data-bbox="470 1568 1428 2094">2. Paragraph 7(b) is replaced by the following updated version (changes highlighted in <i>bold and italic</i>): <p>“The <i>percentage adjustment factors</i> entered in the Fee Proposal will be used for <i>calculating the adjusted all-inclusive time charge rates for</i> payment for additional Services not covered by the Brief. In addition, <i>the adjusted all-inclusive time charge rates for additional Services</i> will be applied with the notional man-hours for additional Services to arrive at the ‘<i>adjusted</i> notional value for additional Services’ to be used for fee assessment purposes. Please refer to the Schedule of Fees for details.”</p>

Reference	Updates
	<p>3. A new paragraph 7(c) is added as below:</p> <p>“If the consultant fails to put in any or all of the percentage adjustment factors, the relevant factor(s) shall be corrected by deeming the factor(s) as zero. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is higher than the upper limit of +30%, the relevant percentage adjustment factor(s) shall be corrected to such upper limit. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is lower than the lower limit of -30%, the relevant percentage adjustment factor(s) shall be corrected to such lower limit. The consultant will be requested to confirm that it agrees to abide by the bid with the relevant factor(s) so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment.”</p> <p>4. Paragraph 8 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p><i>“The checking of the “Specified Percentage Range” requirement in accordance with the DEVB TC(W) No. 2/2016 is not required.”</i></p> <p>5. Paragraph 10 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Assessment of technical and fee proposals will be carried out in accordance with the AACSB Handbook on Selection, Appointment and Administration of Architectural and Associated Consultants and any subsequent Circulars <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter】 .</p>

Reference	Updates
Appendix 5.2 of AACSB Handbook (Rev. 28) – Fee Proposal Proforma	<ol style="list-style-type: none"> The first five pages of the sample Fee Proposal Proforma are replaced by those in Annex B2.
Appendix 10 of AACSB Handbook (Rev. 28) – Schedule of Fees	<ol style="list-style-type: none"> The terms “all-inclusive hourly rates” in Clauses 9(A) to 9(G) are revised to “adjusted all-inclusive hourly rates”. The sentence in the second square blanket in Clause 9(A) is replaced by the following updated version (changes highlighted in <i>bold and italic</i>): “@ Insert <i>the values</i> in the Agreement <i>the products of the all-inclusive time charge rates in the Fee Proposal Proforma and the percentage adjustment in the Fee Proposal</i> for signing.”
Annex 3 to Appendix 34 of AACSB Handbook (Rev. 28) – Sample Invitation Letter for Technical and Fee Proposals (Formula Approach)	<ol style="list-style-type: none"> The second last sentence of paragraph 5 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>): “<i>If you confirm your agreement to abide by the bid with units corrected, the assessment of technical and fee proposals would then be completed in the prescribed manner in accordance with the Formula Approach for the Selection of Consultants for ArchSD projects as detailed in Appendix 34 of the AACSB Handbook <i>with amendments as stated in Annex ____ to this letter</i> <i>【Include Annex B1 as an Annex to this letter</i>】 on the basis of the proposed fee and/or rates with units so corrected and confirmed.</i>” Paragraph 7 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>): “Your attention is drawn to the requirement to insert the <i>percentage adjustment factors not exceeding the range of -30% to +30% for calculating the adjusted</i> all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed <i>Fee Proposal Proforma</i>, which are essential for bid assessment purpose and <i>the adjusted all-inclusive time charge rates</i> will be used for payment of additional Services/management of the Consultants upon award of the Assignment. If you fail to put in any or all of these factors, the relevant <i>factor(s)</i> shall be corrected by deeming the

Reference	Updates
	<p><i>factor(s)</i> as zero. If the <i>percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services</i> for any or all of the categories of staff is higher than <i>the upper limit of +30%</i>, the relevant <i>percentage adjustment factor(s)</i> shall be corrected to <i>such upper limit</i>. If the <i>percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services</i> for any or all of the categories of staff is lower than <i>the lower limit of -30%</i>, the relevant <i>percentage adjustment factor(s)</i> shall be corrected to <i>such lower limit</i>. We will seek confirmation from you to abide by the bid with the relevant <i>factor(s)</i> so corrected for <i>calculating the adjusted all-inclusive time charge rates</i> for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the factor(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with <i>DEVB TC(W) No. 2/2016 and its subsequent updates (if any) with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter】 on the basis of the proposed fee and/or <i>factors</i> with such <i>factor(s)</i> so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the <i>factor(s)</i> so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise. <i>Checking of the “Specified Percentage Range” requirement is set out at Appendix 7.1 of the AACSB Handbook.</i>—You should also refer to the Conditions for Submission of Technical and Fee Proposals at Attachment IV and the Guidelines on the Preparation of Fee Proposal at Attachment VI for the details.</p> <p><i>[** “staff rates in lump sum fee”, “staff rates for additional Services” and their percentage difference are to be determined in the manner as set out in Section 3.12 and Appendix 7.1 of the AACSB Handbook.]</i></p> <p>3. Paragraph 16 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Upon completion of the assessment of Technical Proposals, Fee</p>

Reference	Updates
	<p>Proposals of those consultants that are considered technically capable of undertaking this Consultancy Agreement will normally be opened and combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) No. 2/2016 and its subsequent updates (if any) <i>with amendments as stated in Annex _____ to this letter</i> 【Include Annex B1 as an Annex to this letter】.”</p> <p>4. Note 2 of paragraph 18A and 18B is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The combined score will be determined in accordance with paragraph 14 of Development Bureau Technical Circular (Works) No. 2/2016 and its subsequent updates (if any) <i>with amendments as stated in Annex _____ to this letter</i> 【Include Annex B1 as an Annex to this letter】.”</p> <p>5. Paragraph 2(b) of Part B of Attachment IV is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal Proforma</i>, could be different from the staff charge rates indicated in the manning schedule at paragraph B(1) above.”</p> <p>6. The last sentence of paragraph 2(d) of Part B of Attachment IV is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“You are not, however, allowed to make any adjustment to the lump sum fee, <i>the percentage adjustment factors for calculating the adjusted</i> all-inclusive time charge rates <i>for additional Services</i> and on-cost rates on the first page of the Fee Proposal (<i>except for the necessary corrections of the percentage adjustment factors pursuant to paragraph 7 of the invitation letter</i>).”</p> <p>7. The first sentence of paragraph 4 of Part B of Attachment IV is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p>

Reference	Updates
	<p data-bbox="512 210 1430 387">“In respect of each category of staff specified in the prescribed <i>Fee Proposal Proforma</i> for “additional Services”, irrespective of the number of sub-consultants that may be involved, only ONE <i>percentage adjustment factor</i> shall be inserted as specified.”</p> <p data-bbox="469 450 1430 533">8. Paragraph 7 of Part B of Attachment IV is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p data-bbox="512 595 1430 1675">“Your attention is drawn to the requirement to insert the <i>percentage adjustment factors for calculating the adjusted all-inclusive</i> time charge rate for additional Services and the on-cost rate or the all-inclusive rate for "Direct Employment/Deployment of Resident Site Staff" (if any), which information is essential for bid comparison purpose and for payment/management of the Consultants upon award of the Assignment. If a zero <i>factor</i>/rate is inserted for any or all of these <i>factors or</i> rates or you fail to put in any or all of these <i>factors</i>/rates, the relevant <i>factor(s)</i>/rate(s) shall be corrected by deeming the <i>factor(s)</i>/rate(s) as zero for bid comparison purpose and for payment/management of the Consultants upon award of the Assignment. We will then seek confirmation from you to abide by the bid with the relevant <i>factor(s)</i>/rate(s) so corrected. If you confirm your agreement to abide by the bid with the <i>factor(s)</i>/rate(s) so corrected, the assessment of technical and fee proposals would then be completed in the prescribed manner in accordance with Appendix 34 of the AACSB Handbook <i>with amendments as stated in Annex ____ to this letter</i> 【Include Annex B1 as an Annex to this letter】 on the basis of the proposed fee and/or <i>factors</i>/rates with such <i>factor(s)</i>/rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the <i>factor(s)</i>/rate(s) so corrected in writing by a specified deadline, your bid shall not be considered further for this consultants selection exercise.”</p> <p data-bbox="469 1771 1430 1854">9. Paragraph 7(a) of Attachment VI is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p data-bbox="512 1917 1430 2094">“The <i>adjusted</i> all-inclusive time charge rates for additional Services, <i>which are calculated by multiplying the proposed percentage adjustment factors (which are not exceeding the range of -30% to +30%) and the all-inclusive time charge rates in the Fee Proposal</i></p>

Reference	Updates
	<p><i>Proforma</i>, could be different from the staff charge rates indicated in the Manning Schedule (with Charge Rate and Fees) included in the Fee Proposal.”</p> <p>10. Paragraph 7(b) of Attachment VI is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The <i>percentage adjustment factors</i> entered in the Fee Proposal will be used for <i>calculating the adjusted all-inclusive time charge rates for additional Services for</i> payment for additional Services not covered by the Brief. In addition, <i>the adjusted all-inclusive time charge rates for additional Services</i> will be applied with the notional man-hours for additional Services to arrive at the ‘<i>adjusted</i> notional value for additional Services’ to be used for fee assessment purposes. Please refer to the Schedule of Fees for details.”</p> <p>11. A new paragraph 7(c) of Attachment VI is added as below:</p> <p>“If the consultant fails to put in any or all of the percentage adjustment factors, the relevant factor(s) shall be corrected by deeming the factor(s) as zero. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is higher than the upper limit of +30%, the relevant percentage adjustment factor(s) shall be corrected to such upper limit. If the percentage adjustment factor(s) entered by the consultant on the first page of the Fee Proposal for calculating the adjusted all-inclusive time charge rates for additional Services for any or all of the categories of staff is lower than the lower limit of -30%, the relevant percentage adjustment factor(s) shall be corrected to such lower limit. The consultant will be requested to confirm that it agrees to abide by the bid with the relevant factor(s) so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment.”</p> <p>12. Paragraph 8 of Attachment VI is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p>

Reference	Updates
	<p data-bbox="515 210 1430 293"><i>“The checking of the “Specified Percentage Range” requirement in accordance with the DEVB TC(W) No. 2/2016 is not required.”</i></p> <p data-bbox="472 353 1430 436">13. Paragraph 10 of Attachment VI is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p data-bbox="515 497 1430 768"><i>“Assessment of Technical and Fee Proposals by applying Formula Approach will be carried out in accordance with Appendix 34 of the AACSB Handbook on Selection, Appointment and Administration of Architectural and Associated Consultants and any subsequent Circulars with amendments as stated in Annex ____ to this letter 【Include Annex B1 as an Annex to this letter】.”</i></p> <p data-bbox="472 828 1430 911">14. The first five pages of Fee Proposal Proforma in Attachment XIII are replaced by those in Annex B2.</p>

Combined Score Assessment of Technical and Fee Proposals

The combined score assessment of Technical and Fee Proposals will be carried out in accordance with the AACSB Handbook on Selection, Appointment and Administration of Architectural and Associated Consultants and any subsequent related Circulars, DEVB TC(W) No. 2/2016 and its subsequent updates (if any) with amendments as shown below:

A. Revised Fee Diving Control Mechanism

1. Thresholds are set at 80% and 100% of the Median Consultancy Fee (Fx) which is the median of consultancy fees of all conforming bids and the pretender estimated consultancy fee worked out by the procuring department for that particular assignment.
2. If the fee of the bid being assessed falls between 0.8 Fx and 1.0 Fx (both inclusive), it will get the full weighted consultancy fee score.
3. If the fee of the bid being assessed is higher than 1.0 Fx but not 2.0 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(1 - \frac{\text{Fee of bid being assessed} - F_x}{F_x} \right)$$

4. If the fee of the bid being assessed is higher than 2.0 Fx, the weighted consultancy fee score will be zero.
5. If the fee of the bid being assessed is less than 0.8 Fx, the assessment method of the weighted consultancy fee score will follow the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \left(0.6 + 0.4 \times \frac{\text{Fee of bid being assessed}}{0.8 F_x} \right)$$

B. Calculation of Adjusted All-inclusive Time Charge Rates and Adjusted Notional Value for Additional Services

1. The consultants are required to provide on the first page of the Fee Proposal a set of percentage adjustment factors which will be used to calculate the adjusted all-inclusive time charge rates in accordance with paragraph 4 below for the additional Services under the Agreement.
2. The percentage adjustment factors input by the consultants shall not exceed the range of -30% to +30%.

3. The consultant shall not be allowed to make any change to the percentage adjustment factors on the first page of the Fee Proposal, except when any of the percentage adjustment factors provided by the consultant exceed the allowable range specified in the invitation letter. If the proposed percentage adjustment factors for any category of staff exceed the range specified in the invitation letter, the respective percentage adjustment factors shall be corrected as below:
- (i) Any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is higher than the upper limit shall be corrected to the upper limit while any percentage adjustment factor entered by the consultant on the first page of the Fee Proposal which is lower than the lower limit shall be corrected to the lower limit.
 - (ii) If the consultant fails to put in any or all of the percentage adjustment factors, the relevant percentage adjustment factors shall be corrected by deeming the factors as zero.
 - (iii) The consultant will be requested to confirm that it agrees to abide by its bid with the percentage adjustment factors so corrected for calculating the adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the consultant fails to confirm its agreement to abide by its bid with the factors so corrected, the consultant's bid shall not be considered further.
4. The adjusted all-inclusive time charge rates for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment are calculated by using the formula below:

$$\text{Adjusted all-inclusive time charge rates} = \left[\frac{\text{Proposed percentage adjustment}}{\text{All-inclusive time charge rates in the Fee Proposal Proforma}} \right]$$

5. For the purpose of assessment of the Fee Proposal (i.e. Weighted Consultancy Fee Score), a "consultancy fee" shall be calculated for by summing (a) the lump sum fee (comprising staff costs and non-staff costs), (b) the adjusted notional value for additional Services as calculated by using the formula below, and (c) if applicable, the notional resident site staff on-cost charges.

$$\text{Adjusted notional value for additional Services} = \sum \left[\frac{\text{Notional man-hours for additional Services} \times \text{Proposed percentage adjustment}}{\text{All-inclusive time charge rates in the Fee Proposal Proforma}} \right]$$

6. The checking of the “Specified Percentage Range” requirement in accordance with the DEVB TC(W) No. 2/2016 is not required.

**Consultancy Agreement No. :
Fee Proposal
RESTRICTED (TENDER)
ARCHITECTURAL & ASSOCIATED CONSULTANTS SELECTION BOARD
FEE PROPOSAL**

(ETWB TC(W) No. 23/2003, 23/2003A and 23/2003B have been subsumed under this Fee Proposal Proforma which should only be updated by Works Branch of Development Bureau.)

To : Chairman, AACSB+
Director of Architectural Services
35/F Queensway Government Offices
66 Queensway
Hong Kong

Consultancy Agreement No. :

Title :

We submit our Fee Proposal and the Annexes hereto.
proposals have been submitted under separate cover.

I/We confirm that technical

FEE BASIS : *Lump Sum/Time Charge/Percentage Fee
(Completed by the DR's Delegate)

TECHNICAL/CONSULTANCY FEE/FEE QUALITY : _____/_____/_____
WEIGHTING (ratio)
(Completed by the DR's Delegate)

PROPOSED FEE # : HK\$ _____
(Completed by the Consultant **)

ADDITIONAL SERVICES

Categories of Staff	@Notional Number of Man-Hours (Completed by the DR's Delegate)	All-Inclusive Time Charge Rates (HK\$/Man-Hour) (Completed by the DR's Delegate) ⁺⁺	Percentage Adjustment Factor (%) ^{<} (Completed by the Consultant ^{**})
&Partners/Directors			
&Chief Professional Staff			
&Senior Professional Staff			
&Professional Staff			
&Assistant Professional Staff			
&Technical Staff			

Consultancy Agreement No. : Fee Proposal

***DIRECT EMPLOYMENT OF RESIDENT SITE STAFF (RSS) OR GOVERNMENT STAFF POSTED TO THE CONSULTANT BY THE EMPLOYER**

(Refer to Clause _____ of the Brief)

- The RSS on-cost rates are:

Collective rank of RSS directly employed by the Consultant	RSS on-cost rate of each collective rank (\$/man-month) (Completed by Consultant**)
R2*	
R3*	
R4*	
R5*	

Collective rank of Government staff posted to the Consultant by the Employer	On-cost rate of each collective rank (\$/man-month) (Completed by Consultant**)
R8*	
R9*	
R10*	
R11*	

[Guidance Note: Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department.]

- The notional numbers of man-months of collective ranks of RSS directly employed by the Consultant or Government staff posted to the Consultant by the Employer are listed in the table below. The RSS on-cost rates in the Fee Proposal will be applied with the notional numbers of man-months to arrive at the “notional RSS on-cost charges” to be used for purpose of the combined score assessment of Technical and Fee Proposals.

Collective rank of RSS directly employed by the Consultant	Notional number of man-months of each collective rank (man-month) (man-month) <i>[Guidance Note: To be inserted by managing department before invitation of Technical and Fee Proposals]</i>
R2*	
R3*	
R4*	
R5*	

**Consultancy Agreement No. :
Fee Proposal**

Collective rank of Government staff posted to the Consultant by the Employer	Notional number of man-months of each collective rank (man-month) <i>[Guidance Note: To be inserted by managing department before invitation of Technical and Fee Proposals]</i>
R8*	
R9*	
R10*	
R11*	
<i>(Guidance Note: Please provide the further breakdown of notional number of man-months for Government staff to be posted for “Design Training” and “Site Training” if appropriate)</i>	

[Guidance Note: Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department.]

- The notional RSS establishment is given in **Attachment A**.
- The details of the collective ranks of RSS directly employed by the Consultant or Government staff posted to the Consultant by the Employer are in Clause SCE26 of the Special Conditions of Employment.

***DEPLOYMENT OF RESIDENT SITE STAFF (RSS)**

(See Clause _____ of the Schedule of Fees for the meaning of Deployment of RSS)

Categories of Staff	@ Notional Number of Man-Months (Completed by the DR's Delegate)	All-Inclusive Rates (HK\$/Man-Month) (Completed by Consultant ^{**})
Professional Staff		
Technical Staff		
Clerical / General Staff		

**Consultancy Agreement No. :
Fee Proposal**

Attachment A – Notional RSS Establishment

(I) Rank	(II) Posts in notional RSS establishment	(III) Number in notional RSS establishment	(IV) Notional number of man-months	(V) Collective rank of RSS directly employed by the Consultant
			(sub-total =)	R2*
			(sub-total =)	R3*
			(sub-total =)	R4*
			(sub-total =)	R5*

(I) Rank	(II) Posts in notional RSS establishment	(III) Number in notional RSS establishment	(IV) Notional number of man-months	(V) Collective rank of Government staff posted to the Consultant by the Employer
			(sub-total =)	R8*
			(sub-total =)	R9*
			(sub-total =)	R10*
			(sub-total =)	R11*

[Guidance Note: Add or delete collective ranks as may be necessary to suit the need of the consultancy agreement by the managing department.]

Consultancy Agreement No. : Fee Proposal

Signed : _____

Name : _____

for and on behalf of : _____

Date : _____

Encl.

Legend:

- @ *Refer to DEVB TC(W) No. 2/2016 in determining the notional man-hours for additional Services before inviting Technical and Fee Proposals.*
- # *The Proposed Lump Sum Fee shall be **equal to** the total fee for the Staff and Non-Staff Charges for all stages in the summary breakdown of fee in Part I.*
- + *This Fee Proposal must be submitted in **duplicate** in a **sealed envelope** marked “AACSB Fee Proposal for Agreement No._____, Submitted by_____ (Name of the Consultant)_____”.*
- < *The percentage adjustment factors for additional Services shall not exceed the range of -30% to +30% and are subject to correction in accordance with paragraph [] **【Insert appropriate paragraph number】** of the Invitation Letter for Submission of Technical and Fee Proposals*
- ++ *To be inserted based on the latest set of all-inclusive time charge rates published by DEVB before invitation of Technical and Fee Proposals.*
- * *Delete as appropriate*
- ** *Refer to the attached Guidelines on the Preparation of this Fee Proposal*
- & *To be modified as appropriate*

○

MEMO

<i>From</i> <u>Secretary for Development</u>	<i>To</i> <u>Distribution</u>
<i>Ref.</i> <u>() in DEVB(PS) 106/43</u>	<i>(Attn:</i> _____ <i>)</i>
<i>Tel. No.</i> <u>3509 8279</u>	<i>Your Ref.</i> _____
<i>Fax No.</i> <u>2905 1181</u>	<i>Dated</i> _____ <i>Fax No.</i> _____
<i>Date</i> <u>8 February 2022</u>	<i>Total Pages</i> <u>3 + encl.</u>

EACSB Consultancies
Consultants' Professional Resources

We have recently completed a review of the professional manpower in the construction market, in particular the consulting sector, and consider that there is a need to introduce the following measures in procuring EACSB consultancies so as to enable our consultants to pool together adequate professional resources to meet the demand of the upcoming public works projects, the expenditure of which will increase to more than \$100 billion per annum.

Participation of Unlisted Consultants as Joint Venture/Sub-consultants

2. Pursuant to Section 2.3.1(d) of the Guidelines for the Implementation of the New Policy (Guidelines), unlisted consultants are not allowed to form joint ventures with listed consultants or to be engaged as sub-consultants to undertake sub-consulting services under any of the listed Service Category unless (i) the conditions as set out in Section 2.3.1(d) of the Guidelines are fulfilled; or (ii) prior approval of the Head of Department is obtained in accordance with Section 2.3.3 of the Guidelines.

3. In order to enable our consultants to pool together adequate professional resources for EACSB consultancies as mentioned in paragraph 1 above, the requirements as set out in Section 2.3.1(d) and Section 2.3.3 of the Guidelines shall be waived in the following circumstances:

- (i) EACSB consultancies with an estimated lump sum fee exceeding \$30 million; or
- (ii) where insufficient consultants are identified in a sounding-out exercise (i.e. less than three); or
- (iii) where project offices consider that engagement of non-local experts (individuals/firms) to provide specialised sub-consulting services is necessary. In this case, the consultants are only allowed to engage such non-local experts as sub-consultants but not to form joint ventures with them. Section 2.3.1(d) and Section 2.3.3 of the Guidelines shall still be followed for other proposed sub-consultants.

Qualification Requirements of Staff Categories of Senior Professional and Professional

4. The minimum qualification and experience requirements for each staff category in EACSB consultancies have been set out in Appendix C of DEVB Technical Circular (Works) No. 2/2016, and subsumed to the EACSB Handbook. At present, professional qualification (i.e. corporate member of an appropriate professional institution or equivalent plus certain years of experience) is normally required for staff categories of Senior Professional (SP) and Professional (P) (“professional route”). Acceptance of academic qualification (i.e. university degree or equivalent in an appropriate discipline plus certain prescribed years of experience) for SP and P is normally limited to certain specialist trades which do not have any recognised professional institutions (“academic route”).

5. To provide EACSB consultants with greater flexibility to engage non-local talents (e.g. overseas professionals without corporate membership of acceptable professional institutions), the academic route will also be considered acceptable for all disciplines of SP and P (i.e. not subject to the limitation as mentioned in paragraph 4 above). For trades where appropriate professional institutions are available, the academic route is subject to a higher experience requirement with a cap that the total number of SP and P adopting the academic route shall not be more than 30% of the total number of SP and P deployed for the consultancy services. We will review this requirement from time to time in light of the changing circumstances. The relevant amendments to the EACSB Handbook are given in **Annex A**.

Implementation

6. The above new measures shall apply to all new EACSB consultancies with T&F proposals to be invited on or after **29 April 2022**. For agreements with T&F proposals already invited or to be invited before this date, the new measures may be applied where practicable.

7. Please bring this memo to the attention of the project officers who are responsible for administration and management of consultancy agreements.

8. If you have any enquiries, please contact AS(WP4)5 (tel. no. 3655 5282).

(Y K HO)
for Secretary for Development

Encl.

Distribution (w/encl.)

DCED (Attn: Dr Julian Kwan)
D of DS (Attn: Mr Peter Chui)
DEMS (Attn: Mr Y F Cheung)
DHy (Attn: Mr W K Ng)
DWS (Attn: Mr S W Chau)
DAFC (Attn: Dr Jackie Yip)
DB (Attn: Ms Cimberly Tsui)
DEP (Attn: Mr W W Cheung)
DHA (Attn: Mr Paul Au)
D of Lands (Attn: Mr Stephen Yeung)
D of Plan (Attn: Ms Carrie Chan)
D of SW (Attn: Ms Rio Kwok)
C for T (Attn: Ms Vilian Sum)
D of H (Attn: Mr Stephen Leung)
EDB (Attn: Mr Louis Wong)
HAB (Attn: Mr Keith Man)
STH (Attn: Mr K F Choi)
SDEV (Attn: Mr W H Cheng)
LA(W) (Attn: Ms Ada Chen)
Secretary, EACSB

c.c. (w/encl.)

DArchS (Attn: Mr Edward Tse)
Secretary, AACSB

Internal: CAS(W)7, AS(WP4)5, AS(WP4)7

Reference	Updates			
Appendices 3.13A and 4.2 of EACSB Handbook	The table showing the requirements of minimum academic/professional qualifications for staff categories of Senior Professional (SP) and Professional (P) are amended as below (changes highlighted in <i>bold and italic</i>):			
	Staff category	<i>Route</i>	Minimum academic / professional qualifications	Minimum experience requirement
	Partners/ Directors	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-qualification experience
	Chief Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
		<i>Academic Route</i>	University degree or equivalent in an appropriate discipline	17 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence
	Senior Professional	<i>Professional Route</i>	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
		<i>Academic Route</i>	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 10 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • <i>12 years relevant post-qualification experience for other cases (see Note 1)</i>

Reference	Updates			
	Staff category	Route	Minimum academic / professional qualifications	Minimum experience requirement
	Professional	Professional Route	Corporate member of an appropriate professional institution or equivalent	No additional requirement
		Academic Route	University degree or equivalent in an appropriate discipline	<ul style="list-style-type: none"> • 5 years relevant post-qualification experience for specialist trades, such as geology, transport, environmental science, or other trades where appropriate professional institutions are not commonly in existence • 7 years relevant post-qualification experience for other cases (see Note 1)
	Assistant Professional	Academic Route	University degree or equivalent in an appropriate discipline	No additional requirement
	Technical	Academic Route	Diploma or Higher Certificate or equivalent in an appropriate discipline	No additional requirement
	<p><u>Note 1</u></p> <p>The total number of staff categories of Senior Professional (SP) and Professional (P) for such cases shall not be more than 30% of the total number of SP and P deployed for the consultancy services.</p>			

EACSB Consultancies

Consultants' Professional Resources

(DEVB's memo ref. DEVB(PS) 106/43 dated 8 February 2022)

Amendments to the Sample Templates of Invitation Documents

Part A

Where the circumstances as stated in paragraphs 3(i) and/or 3(ii) of the subject memo are applicable, the following amendments shall be made to the sample templates of invitation documents for EACSB consultancies :

Reference	Updates
Appendices 3.1 of EACSB Handbook – Sample Invitation Letter for Expression of Interest	<ol style="list-style-type: none">1. Paragraphs 12(b), 12(d) and 17 of the letter and Annexes D and F of the letter shall not be included.2. Paragraph 2 of Annex C of the letter shall be replaced by the following: “If the EOI submission is made by a joint venture, at least one of the participants or shareholders shall be on the initial list shown in Annex ____ 【Refer to Annex B to this sample invitation letter】 of the invitation letter. Failure by a consultant to comply with this requirement will lead to disqualification of the consultant’s EOI submission.”3. Paragraphs 3(a) and (b), 4.1(a) to (c), 4.2(a) and (b), 4.3 and 5 of Annex C of the letter shall not be included.4. Paragraph 6 of Annex C of the letter shall be revised by deleting “because of change in listing status” in the first sentence and replacing “listing” with “eligibility” in the second sentence.
Appendices 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)	<ol style="list-style-type: none">1. Paragraphs 15(b), 15(c) and 25 of the letter and Annexes C and D of the letter shall not be included.2. Paragraph 1 of Annex B of the letter shall be replaced by the following: “If the Technical and Fee (T&F) Proposal is made by a joint venture, it must ensure that the same participants were proposed in the earlier Expression of Interest (EOI) submission. Failure by a consultant to comply with this requirement will lead to disqualification of the consultant’s T&F Proposal.”

Reference	Updates
	<p>3. Paragraphs 2, 3, 4.1(a) to (c), 4.2(a) and (b) and 4.3 of Annex B of the letter shall not be included.</p> <p>4. A new paragraph 5 shall be added to Annex B of the letter as below:</p> <p>“The consultant must ensure that at the time of submission of T&F Proposal, the consultant itself and its sub-consultants proposed are eligible for bidding and award of consultancies. Failure to comply with this requirement will lead to disqualification of the consultant’s T&F Proposal.”</p> <p>5. The existing paragraph 5 of Annex B of the letter shall be numbered as paragraph 6 and revised by replacing “listing” with “eligibility” in the first sentence.</p>
<p>Appendices 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)</p>	<p>1. Paragraphs 14(b), 14(d) and 31 of the letter and Annexes E and G of the letter shall not be included.</p> <p>2. Paragraph 2 of Annex D of the letter shall be replaced by the following:</p> <p>“If the T&F Proposal is made by a joint venture, at least one of the participants or shareholders shall be on the initial list shown in Annex ____ 【Refer to Annex C to this sample invitation letter】 of the invitation letter. Failure by a consultant to comply with this requirement will lead to disqualification of the consultant’s T&F Proposal.”</p> <p>3. Paragraphs 3, 4, 4.1(a) and (b), 4.2(a) and (b) and 4.3 of Annex D of the letter shall not be included.</p> <p>4. Paragraph 5 of Annex D of the letter shall be revised by replacing “listing” with “eligibility” in the first sentence.</p>

Part B

Where only circumstance as stated in paragraph 3(iii) of the subject memo is applicable, the following amendments shall be made to the sample templates of invitation documents for EACSB consultancies :

Reference	Updates
Appendix 3.1 of EACSB Handbook – Sample Invitation Letter for Expression of Interest	<p>1. Paragraph 12(d) of the letter shall be included and replaced by the following:</p> <p>“For the avoidance of doubt, apart from the consulting firms on the lists given in Annex _____ to this letter 【Inclusion of Annex D – see Paragraph 12b. above】 , you can also engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>The Expression of Interest submission for this Assignment in respect of the sub-consultants solely for the above services will be evaluated on an equal basis, no matter whether the sub-consultants are on the lists given in Annex _____ to this letter 【Inclusion of Annex D – see Paragraph 12b. above】 or not.”</p> <p>2. A new paragraph 12(e) shall be added to the letter as below:</p> <p>“A consultant will be regarded as “non-local consultant” if :</p> <ul style="list-style-type: none">(i) the consultant is a natural person who, as at the closing date of the Expression of Interest submission, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out in paragraph 12d; or(ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or(iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons

Reference	Updates
	<p style="text-align: center;">described in item (i) above of this paragraph.</p> <p>In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed in paragraph 12d, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant’s Expression of Interest submission. A sample declaration letter is attached at Annex _____ of this letter 【Inclusion of Annex G as an Annex to this letter】 .”</p> <p>3. Paragraphs 4.1(a) and 4.2(a) of Annex C of the letter shall be revised by.:</p> <ul style="list-style-type: none"> (i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; and (ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”. <p>4. A new paragraph 4.4 shall be added to Annex C of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p style="text-align: center;">【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in paragraphs 4.1 and 4.2 above. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the Expression of Interest submission, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or (iii) if the consultant is an</p>

Reference	Updates
	<p>unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant’s Expression of Interest submission.”</p> <p>5. Paragraph 6 of Annex C of the letter shall be revised by deleting “because of change in listing status” in the first sentence and replacing “listing” with “eligibility” in the second sentence.</p> <p>6. Note (b) of Annex D of the letter shall be revised by:</p> <ul style="list-style-type: none"> (i) replacing “The” at the beginning of the paragraph with “Save as provided in note (e) below, the” ; and (ii) replacing “note (c)” in the second sentence with “notes (c) and (e)”. <p>7. Note (c) of Annex D of the letter shall be revised by replacing “Unlisted” at the beginning of the note with “Save as provided in note (e), unlisted”.</p> <p>8. A new note (e) shall be added to Annex D of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p style="text-align: center;">【<i>Input the sub-consulting services</i>】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Section 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the Expression of Interest submission, is yet to obtain a working visa / entry</p>

Reference	Updates
	<p>permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant’s Expression of Interest submission.”</p> <p>9. Note (d) of Annex F of the letter shall be revised by:</p> <ul style="list-style-type: none"> (i) replacing “The” at the beginning of the first sentence with “Save as provided in note (g) below, the”; and (ii) replacing “note (e)” in the second sentence with “notes (e) and (g)”. <p>10. Note (e) of Annex F of the letter shall be revised by replacing “Unlisted” at the beginning of the first sentence with “Save as provided in note (g) below, unlisted”.</p> <p>11. A new note (g) shall be added to Annex F of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p style="text-align: center;">【<i>Input the sub-consulting services</i>】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Section 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the</p>

Reference	Updates
	<p>Expression of Interest submission, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the Expression of Interest submission; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your submission declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its submission and upon request will lead to disqualification of the consultant’s Expression of Interest submission.”</p>
<p>Appendix 3.4 of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (Two-stage)</p>	<p>1. Paragraph 15(c) of the letter shall be included and replaced by the following:</p> <p>“For the avoidance of doubt, apart from the consulting firms on the lists given in Annex _____ to this letter 【 Inclusion of Annex C – see Paragraph 15b. above 】 , you can also engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>The Technical and Fee Proposals for this Assignment in respect of the sub-consultants solely for the above services will be evaluated on an equal basis, no matter whether the sub-consultants are on the lists given in Annex _____ to this letter 【 Inclusion of Annex C – see Paragraph 15b. above 】 or not.”</p> <p>2. A new paragraph 15(d) shall be added to the letter as below:</p> <p>“A consultant will be regarded as “non-local consultant” if :</p> <p>(i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain</p>

Reference	Updates
	<p>a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out in paragraph 15c; or</p> <p>(ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or</p> <p>(iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph.”</p> <p>In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed in paragraph 15c, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals. A sample declaration letter is attached at Annex _____ of this letter 【Inclusion of Annex E as an Annex to this letter】 .”</p> <p>3. Paragraphs 4.1(a) and 4.2(a) of Annex B of the letter shall be revised by :</p> <p>(i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; and</p> <p>(ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”.</p> <p>4. A new paragraph 4.4 shall be added to Annex B of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p>

Reference	Updates
	<p>the engagement of such sub-consultants is not subject to the requirements as mentioned in paragraphs 4.1 and 4.2 above. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>5. The paragraph 5 of Annex B of the letter shall be revised by replacing “listing” with “eligibility” in the first sentence.</p> <p>6. Note (b) of Annex C of the letter shall be revised by replacing “The” at the beginning of the first sentence with “Save as provided in note (d), the”.</p> <p>7. A new note (d) shall be added to Annex C of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A</p>

Reference	Updates
	<p>consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>8. Note (c) of Annex D of the letter shall be revised by replacing “The” at the beginning of the first sentence with “Save as provided in note (e) below, the”.</p> <p>9. A new note (e) shall be added to Annex D of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【<i>Input the sub-consulting services</i>】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not</p>

Reference	Updates
	<p>incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p>
<p>Appendix 3.4A of EACSB Handbook – Sample Invitation Letter for Technical and Fee Proposals (One-stage)</p>	<p>1. Paragraph 14(c) of the letter shall be included and replaced by the following:</p> <p>“For the avoidance of doubt, apart from the consulting firms on the lists given in Annex _____ to this letter 【 Inclusion of Annex E – see Paragraph 14b. above 】 , you can also engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【 Input the sub-consulting services 】</p> <p>The Technical and Fee Proposals for this Assignment in respect of the sub-consultants solely for the above services will be evaluated on an equal basis, no matter whether the sub-consultants are on the lists given in Annex _____ to this letter 【 Inclusion of Annex E – see Paragraph 14b. above 】 or not.”</p> <p>2. A new paragraph 14(d) shall be added to the letter as below:</p> <p>“A consultant will be regarded as “non-local consultant” if :</p> <p>(i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out in</p>

Reference	Updates
	<p>paragraph 14c; or</p> <ul style="list-style-type: none"> (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph.” <p>In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed in paragraph 14c, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals. A sample declaration letter is attached at Annex _____ of this letter 【Inclusion of Annex H as an Annex to this letter】 .”</p> <p>3. Paragraph 4.1(a) of Annex D of the letter shall be revised by:</p> <ul style="list-style-type: none"> (i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; (ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”; and (iii) replacing “If” at the beginning of the last sentence with “Save as aforesaid, if”. <p>4. Paragraph 4.2(a) of Annex D of the letter shall be revised by:</p> <ul style="list-style-type: none"> (i) replacing “If” at the beginning of the paragraph with “Save as provided in paragraph 4.4 below,”; and (ii) replacing “In that case” at the beginning of the second sentence with “Save as aforesaid,”.

Reference	Updates
	<p>5. A new paragraph 4.4 shall be added to Annex D of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in paragraphs 4.1 and 4.2 above. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>6. Paragraph 5 of Annex D of the letter shall be revised by replacing “listing” with “eligibility” in the first sentence.</p> <p>7. Note (b) of Annex E of the letter shall be revised by replacing “The” at the beginning of the first sentence with “Save as provided in note (d), the”.</p> <p>8. A new note (d) shall be added to Annex E of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local</p>

Reference	Updates
	<p>consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p> <p>9. Note (c) of Annex G of the letter shall be revised by replacing “The” in the beginning of the first sentence with “Save as provided in note (e), the”.</p> <p>10. A new note (e) shall be added to Annex G of the letter as below:</p> <p>“In the event that the consultant proposes to engage unlisted non-local consultants as sub-consultants solely for undertaking any of the following sub-consulting services in this Assignment:</p> <p>【Input the sub-consulting services】</p> <p>the engagement of such sub-consultants is not subject to the</p>

Reference	Updates
	<p>requirements as mentioned in Sections 2.3.1(b) of the Guidelines. A consultant will be regarded as “non-local consultant” if (i) the consultant is a natural person who, as at the closing date of the submission of Technical and Fee Proposals, is yet to obtain a working visa / entry permit issued by the Director of Immigration to stay in Hong Kong for the purpose of undertaking any of the sub-consulting services set out above; or (ii) the consultant is an entity which is not incorporated in Hong Kong under Companies Ordinance (Cap. 622) on the closing date of the submission of Technical and Fee Proposals; or (iii) if the consultant is an unincorporated association or firm whose participating parties or partners are all natural persons described in item (i) above of this paragraph. In the event that you propose to engage an unlisted non-local sub-consultant to perform any of the sub-consulting services listed above, you shall submit with your Technical Proposal declarations signed by each of such proposed sub-consultants to declare the sub-consultant’s non-local status. Failure by a consultant to submit such declarations with its Technical Proposal and upon request will lead to disqualification of the consultant’s Technical and Fee Proposals.”</p>

Sample Declaration Letter

Agreement No. [XX]

[Agreement Title]

To: The Government of the HKSAR

We declare that we are non-local having regard to the definition of “Non-local” in Clause [yy] of the Invitation Letter for the subject Agreement.

Name of Sub-consultant: _____

Signature of person authorised to sign the declaration letter: _____

Name in block letters _____

Telephone number: _____

Date: _____

Part C

In addition to the amendments to the EACSB Handbook as given in Annex A of the subject memo, the following amendments shall be made to the sample templates of invitation documents for EACSB consultancies :

Reference	Updates
Section 3.10 of EACSB Handbook – Submission and Assessment of Technical Proposals	<p>1. The following paragraphs shall be added before the 1st paragraph on Page 47 of EACSB Handbook:</p> <p>“For trades where appropriate professional institutions are available, the weighted manpower of the consultant’s proposed Senior Professional (SP) and Professional (P) adopting the academic route must not be more than 30% of the weighted total manpower of SP and P of the consultant.</p> <p>After checking the minimum academic/professional qualifications and/or minimum experience requirements of the consultant’s proposed SP and P, the Assessment Panel shall assess whether the weighted manpower of the consultant’s proposed SP and P adopting the academic route would exceed 30% of the weighted total manpower of SP and P of the consultant. If this percentage is exceeded, the managing department may seek clarification from the consultant of factual information about the qualifications and experience of the staff in writing but should not allow the staff and/or the staff category to be changed to avoid the consultant having the opportunity to improve his submissions. When informing the consultant of the exceedance, the managing department should always include the following:</p> <p><i>“In your reply, you are only allowed to provide factual information about the and their qualifications and experience of the staff concerned and are not allowed to change the proposed staff or change the staff from one staff category to another staff category.</i></p> <p><i>For the avoidance of doubt, in the performance of the assignment, if awarded to you, you are bound to provide the manpower input of the staff in the relevant staff categories as included in your proposal except that if the weighted manpower of your proposed Senior Professional</i></p>

Reference	Updates								
	<p data-bbox="625 208 1375 768"><i>(SP) and Professional (P) adopting the academic route exceeds 30% of the weighted total manpower of SP and P, you are deemed to have agreed that subject to approval of the Government, you shall replace those staff at your cost with other staff not lower than the qualifications and experience of the proposed staff so that after the replacement, the weighted manpower of the proposed SP and P adopting the academic route shall not be more than 30% of the weighted total manpower of SP and P. The replacement shall be subject to the approval procedures as if there is a change of core personnel under the assignment.”</i></p> <p data-bbox="555 831 1430 1151">Where the information, together with clarification from the consultants (if any), reveals that the weighted manpower of the proposed SP and P adopting the academic route exceeds 30% of the weighted total manpower of SP and P, the mark to be given for the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the following as a guide:</p> <table border="1" data-bbox="555 1205 1430 1491"> <thead> <tr> <th data-bbox="555 1205 991 1317">Degree of exceedance in the opinion of the Assessment Panel</th> <th data-bbox="997 1205 1430 1317">Mark shall be multiplied by (exact multiplier to be decided by the Panel)</th> </tr> </thead> <tbody> <tr> <td data-bbox="555 1326 991 1375">Minor</td> <td data-bbox="997 1326 1430 1375">0.95 to 0.9</td> </tr> <tr> <td data-bbox="555 1384 991 1433">Medium</td> <td data-bbox="997 1384 1430 1433">0.9 to 0.8</td> </tr> <tr> <td data-bbox="555 1442 991 1491">Serious</td> <td data-bbox="997 1442 1430 1491">Below 0.8</td> </tr> </tbody> </table> <p data-bbox="555 1547 1430 1823">The adjustment shall not prevent the Assessment Panel from taking into account the discrepancy information in marking other aspects of the technical proposal. A sample template for defining degree of exceedance of number of SP and P adopting academic route for trades where appropriate professional institutions are available is shown in Appendix 3.16.”</p>	Degree of exceedance in the opinion of the Assessment Panel	Mark shall be multiplied by (exact multiplier to be decided by the Panel)	Minor	0.95 to 0.9	Medium	0.9 to 0.8	Serious	Below 0.8
Degree of exceedance in the opinion of the Assessment Panel	Mark shall be multiplied by (exact multiplier to be decided by the Panel)								
Minor	0.95 to 0.9								
Medium	0.9 to 0.8								
Serious	Below 0.8								
Appendix 3.4B of EACSB Handbook – Sample Template for Guidelines on	1. The following sub-section shall be added in Note (3) of Part (B) before the sub-section of “Staff working under an overloading situation”:								

Reference	Updates												
Preparation of Technical Proposal	<p data-bbox="555 208 1433 342"><u>“Senior Professional (SP) and Professional (P) adopting academic route for trades where appropriate professional institutions are available</u>”</p> <p data-bbox="555 405 1433 577">For trades where appropriate professional institutions are available, the weighted manpower of the consultant’s proposed SP and P adopting the academic route must not be more than 30% of the weighted total manpower of SP and P of the consultant.</p> <p data-bbox="555 640 1433 1104">If the Assessment Panel assesses that the weighted manpower of the proposed SP and P adopting the academic route exceeds 30% of the weighted total manpower of SP and P, the consultant may be approached for clarification before opening of the fee proposal. If the information, together with clarification from the consultant (if any), reveals that the weighted manpower of the proposed SP and P adopting the academic route exceeds 30% of the weighted total manpower of SP and P, the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the criteria below.</p> <table border="1" data-bbox="555 1160 1433 1787"> <thead> <tr> <th data-bbox="555 1160 742 1601">Degree of Exceedance</th> <th data-bbox="742 1160 1216 1601">Calculated Percentage = $B/A \times 100\%$ where A = Weighted total manpower of SP and P of the consultant B = Weighted manpower of the proposed SP and P adopting the academic route for trades where appropriate professional institutions are available</th> <th data-bbox="1216 1160 1433 1601">Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by</th> </tr> </thead> <tbody> <tr> <td data-bbox="555 1601 742 1662">Minor</td> <td data-bbox="742 1601 1216 1662">> 30% and ≤ (35%)</td> <td data-bbox="1216 1601 1433 1662">XX</td> </tr> <tr> <td data-bbox="555 1662 742 1722">Medium</td> <td data-bbox="742 1662 1216 1722">> (35%) and < (40%)</td> <td data-bbox="1216 1662 1433 1722">XX</td> </tr> <tr> <td data-bbox="555 1722 742 1787">Serious</td> <td data-bbox="742 1722 1216 1787">≥ (40%)</td> <td data-bbox="1216 1722 1433 1787">XX</td> </tr> </tbody> </table> <p data-bbox="555 1843 1433 1928">[Remarks: The procuring department may update the figures in brackets to suit the project specific circumstances.]”</p>	Degree of Exceedance	Calculated Percentage = $B/A \times 100\%$ where A = Weighted total manpower of SP and P of the consultant B = Weighted manpower of the proposed SP and P adopting the academic route for trades where appropriate professional institutions are available	Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by	Minor	> 30% and ≤ (35%)	XX	Medium	> (35%) and < (40%)	XX	Serious	≥ (40%)	XX
Degree of Exceedance	Calculated Percentage = $B/A \times 100\%$ where A = Weighted total manpower of SP and P of the consultant B = Weighted manpower of the proposed SP and P adopting the academic route for trades where appropriate professional institutions are available	Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by											
Minor	> 30% and ≤ (35%)	XX											
Medium	> (35%) and < (40%)	XX											
Serious	≥ (40%)	XX											

Reference	Updates												
<p>Appendix 3.16 of EACSB Handbook – Details on Checking of Compliance with Specified Percentage Range, Worked Example for Ascertaining Fee Quality Score and Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience and Staff Working Under Overloading Situation</p>	<p>1. The title of Appendix 3.16 shall be revised as:</p> <p>“Details on Checking of Compliance with Specified Percentage Range, Worked Example for Ascertaining Fee Quality Score and Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience, <i>Exceedance of Number of Senior Professional (SP) and Professional (P) Adopting Academic Route for Trades where Appropriate Professional Institutions are Available</i> and Staff Working Under Overloading Situation”</p> <p>2. The following sample template shall be added after the “Sample Template for Defining Degree of Non-compliance with Minimum Academic/Professional Qualifications and/or Minimum Experience”:</p> <p style="text-align: center;"><u>“Sample Template for Defining Degree of Exceedance of Number of Senior Professional (SP) and Professional (P) Adopting Academic Route for Trades where Appropriate Professional Institutions are Available</u>”</p> <table border="1" data-bbox="555 1205 1426 1957"> <thead> <tr> <th data-bbox="561 1214 740 1684">Degree of Exceedance</th> <th data-bbox="746 1214 1155 1684">Calculated Percentage = $B/A \times 100\%$ where A = Weighted total manpower of SP and P of the consultant B = Weighted manpower of the proposed SP and P adopting the academic route for trades where appropriate professional institutions are available</th> <th data-bbox="1161 1214 1420 1684">Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by (Exact multiplier to be decided by the Assessment Panel in the Marking Scheme)</th> </tr> </thead> <tbody> <tr> <td data-bbox="561 1693 740 1774">Minor</td> <td data-bbox="746 1693 1155 1774">> 30% and ≤ (35%)</td> <td data-bbox="1161 1693 1420 1774">0.95 to 0.9 (e.g. 0.95)</td> </tr> <tr> <td data-bbox="561 1783 740 1863">Medium</td> <td data-bbox="746 1783 1155 1863">> (35%) and < (40%)</td> <td data-bbox="1161 1783 1420 1863">0.9 to 0.8 (e.g. 0.9)</td> </tr> <tr> <td data-bbox="561 1872 740 1953">Serious</td> <td data-bbox="746 1872 1155 1953">≥ (40%)</td> <td data-bbox="1161 1872 1420 1953">Below 0.8 (e.g. 0.6)</td> </tr> </tbody> </table>	Degree of Exceedance	Calculated Percentage = $B/A \times 100\%$ where A = Weighted total manpower of SP and P of the consultant B = Weighted manpower of the proposed SP and P adopting the academic route for trades where appropriate professional institutions are available	Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by (Exact multiplier to be decided by the Assessment Panel in the Marking Scheme)	Minor	> 30% and ≤ (35%)	0.95 to 0.9 (e.g. 0.95)	Medium	> (35%) and < (40%)	0.9 to 0.8 (e.g. 0.9)	Serious	≥ (40%)	Below 0.8 (e.g. 0.6)
Degree of Exceedance	Calculated Percentage = $B/A \times 100\%$ where A = Weighted total manpower of SP and P of the consultant B = Weighted manpower of the proposed SP and P adopting the academic route for trades where appropriate professional institutions are available	Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by (Exact multiplier to be decided by the Assessment Panel in the Marking Scheme)											
Minor	> 30% and ≤ (35%)	0.95 to 0.9 (e.g. 0.95)											
Medium	> (35%) and < (40%)	0.9 to 0.8 (e.g. 0.9)											
Serious	≥ (40%)	Below 0.8 (e.g. 0.6)											

Reference	Updates
	<p>Explanatory Notes:</p> <ul style="list-style-type: none"> (a) For trades where appropriate professional institutions are available, the weighted manpower of the consultant’s proposed SP and P adopting the academic route must not be more than 30% of the weighted total manpower of SP and P of the consultant. (b) If the Assessment Panel assesses that the weighted manpower of the proposed SP and P adopting the academic route exceeds 30% of the weighted total manpower of SP and P, the consultant may be approached for clarification before opening of the fee proposal. If the information, together with clarification from the consultant (if any), reveals that the weighted manpower of the proposed SP and P adopting the academic route exceeds 30% of the weighted total manpower of SP and P, the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the criteria above. <p>Remarks:</p> <ul style="list-style-type: none"> (1) The percentage in the brackets should be determined by the Assessment Panel to suit the consultancy agreement. (2) The criteria to determine the degree of exceedance with explanatory notes above should be included in the Marking Scheme and made known to the bidders. (3) The Assessment Panel has its discretion to decide another new set of criteria for determining the degree of exceedance provided that such criteria with explanatory notes are commented by DEVB, and if necessary, by LAD(W).”

(collectively referred to as “sub-consultants’ information”) to enable the procuring department to check for the compliance with the bidding restrictions regarding the engagement of sub-consultants. A bid will be disqualified if the consultant fails to submit such table in the bid. After the review, it is considered that the bid can still be considered even if the table is not submitted with the bid, provided that the sub-consultants’ information above is contained in other parts of the bid such that the checking of compliance with the bidding restrictions can be conducted. The revised provisions regarding this refinement are attached at **Annex B**.

5. This memo shall apply to all AACSB and EACSB consultancies with Expression of Interest submissions or Technical and Fee Proposals (for one-stage selection) to be invited on or after 29 November 2021.

6. Please bring this memo to the attention of the officers responsible for managing the list of consultants of EACSB.

7. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

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Reference	Updates
Paragraph 24 of DEVB TC(W) No. 2/2016	<p>The paragraph 24 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The detailed method of comparing the two sets of rates against the SPR is set out at Appendix D. For all AACSB/EACSB Agreements, an SPR of -10% to +40% shall be adopted. If the comparison reveals exceedance of the SPR for any <i>category of staff</i> as explained at Appendix D, <i>the respective “staff rates for additional Services” shall be corrected in accordance with Appendix D and the consultant will be requested to confirm that it agrees to abide by its bid with the rates so corrected for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the consultant fails to confirm its agreement to abide by its bid with the rates so corrected, the consultant’s bid shall not be considered further.</i> The procuring department should include a clear advice in the letter for inviting technical and fee proposals to draw the attention of consultants <i>to these requirements.</i>”</p>
Appendix D of DEVB TC(W) No. 2/2016	The Appendix D is replaced by the one in Annex A1.
Sample Invitation Letter for Technical and Fee Proposals (For Two-stage Consultants Selection) and (For One-stage Consultants Selection) in	<p>The paragraph 6 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“6. We shall <u>not</u> accept any Fee Proposal <i>where the</i> lump sum fee on the first page of the Fee Proposal is different from the total fee for the staff</p>

<p>Appendices 3.4 and 3.4A of EACSB Handbook Revision No. 16 respectively</p>	<p>and non-staff charges for all stages in the summary breakdown of lump sum fee; or (ii) the percentage difference between the “staff rates for additional Services” and the “staff rates in lump sum fee” exceeds the “Specified Percentage Range”.</p>
	<p>The last sentence of paragraph 7 is replaced by the following updated version (changes highlighted in bold and italic):</p> <p>“You are not, however, allowed to make any adjustment to the lump sum fee, all-inclusive time charge rates for additional Services and on-cost rates on the first page of the Fee Proposal (except for the necessary corrections of the all-inclusive time charge rates for additional Services pursuant to paragraph 9a below).”</p>
	<p>A new paragraph 9a is added as below:</p> <p>“9a. Your attention is drawn to the requirement to insert the all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed Fee Proposal Proforma, which are essential for bid assessment purpose and will be used for payment of additional Services/management of the Consultants upon award of the Assignment. If you fail to put in any or all of these rates, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. If the “Percentage Difference” (as determined in accordance with Appendix D to Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and its subsequent updates (if any)) between the “staff rates for additional Services” and the “staff rates in lump sum fee” for any or all of the categories of staff is higher than</p>

+40%, the relevant all-inclusive time charge rate(s) for additional Services shall be corrected to be equal to the corresponding rate(s) with “Percentage Difference” of +40% as rounded down to the nearest cent. If the “Percentage Difference” between the “staff rates for additional Services” and the “staff rates in lump sum fee” for any or all of the categories of staff is lower than -10%, the relevant all-inclusive time charge rate(s) for additional Services shall be corrected to be equal to the corresponding rate(s) with “Percentage Difference” of -10% as rounded up to the nearest cent. We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise.”

The first two sentences of paragraph 10 are replaced by the following updated version (changes highlighted in ***bold and italic***):

“10. Your attention is drawn to the requirement to ***insert the on-cost rate*** in respect of each category of staff specified in the prescribed Fee

	<p>Proposal Proforma for “Direct Employment of Resident Site Staff”, which information is essential for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment.—<i>If a zero rate is inserted for any or all of these rates, we will seek confirmation from you to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the Consultants upon award of the Assignment.”</i></p>
<p>Sample Invitation Letter for Technical and Fee Proposals (By Conventional Approach) in Appendix 5.1 of AACSB Handbook Revision No. 27</p>	<p>The paragraph 7 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“7. Your attention is drawn to <i>the requirement to insert the all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed fee proforma, which are essential for bid assessment purpose and will be used for payment of additional Services/management of the Consultants upon award of the Agreement. If you fail to put in any or all of these rates, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. If the “Percentage Difference” (as determined in accordance with Appendix D to Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and its subsequent updates (if any)) between the “staff rates for additional Services” and the “staff rates in lump sum fee”** for any or all of the categories of staff is higher than +40%, the relevant all-inclusive time charge rate(s) for additional Services shall be corrected to be equal to the corresponding rate(s) with “Percentage Difference” of +40% as rounded down to the nearest cent. If the “Percentage Difference” between the “staff rates for additional Services” and the “staff rates in lump sum fee” for any or all of the categories</i></p>

	<p><i>of staff is lower than -10%, the relevant all-inclusive time charge rate(s) for additional Services shall be corrected to be equal to the corresponding rate(s) with “Percentage Difference” of -10% as rounded up to the nearest cent. We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise. Checking of the “Specified Percentage Range” requirement is set out at Appendix 7.1 of the AACSB Handbook. You should also refer to the Conditions for Submission of Technical and Fee Proposals at Annex D and the Guidelines on the Preparation of Fee Proposal at Annex F for the details.”</i></p>
<p>Sample Conditions for Submission of Technical and Fee Proposals in Annex D of Appendix 5.1 of AACSB Handbook Revision No. 27</p>	<p>Paragraph 2(c) of Part B – “Fee Proposal” is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“2(c) We will not accept Fee Proposal <i>where the</i> lump sum fee on the first page of the Fee Proposal is different from the total fee for the staff and non-staff charges for all stages in the summary breakdown of lump sum fee; or</p> <p>(ii) the percentage difference between the</p>

	<p>“staff rates for additional Services” and the “staff rates in lump sum fee” exceeds the “Specified Percentage Range”.”</p>
<p>Sample Guidelines on the Preparation of Fee Proposal in Annex F of Appendix 5.1 of AACSB Handbook Revision No. 27</p>	<p>Paragraphs 8(b) and (c) are replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“8(b) The all-inclusive time charge rates for additional Services shall be used to calculate the adjusted notional value for additional Services which shall then be added to other fee components to arrive at a total fee for assessment of Fee Proposals. These all-inclusive time charge rates shall also be converted into “staff rates for additional Services” in the manner as set out in Section 3.12 and Appendix 7.1 of the AACSB Handbook. The percentage difference between “staff rates in lump sum fee” and “staff rates for additional Services” in respect of each staff group, shall not exceed the “Specified Percentage Range” stated in the invitation letter.</p> <p>8(c) <i>Any all-inclusive time charge rate for additional Services entered by the consultant in the fee proposal with a Percentage Difference higher than +40% shall be corrected to be equal to the corresponding rate with a Percentage Difference of +40% as rounded down to the nearest cent. Any all-inclusive time charge rate for additional Services entered by the consultant in the fee proposal with a Percentage Difference lower than -10% shall be corrected to be equal to the corresponding rate with a Percentage Difference of -10% as rounded up to the nearest cent. If the consultant fails to put in any or all of the all-inclusive time charge rate(s) for additional Services, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. The consultant will be requested to confirm that it agrees</i></p>

	<p><i>to abide by its bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the total fee and total manpower input of a particular category of staff are both zero, and/or the all-inclusive time charge rate for additional Services of a particular category of staff is missing or zero, the requirement of Specified Percentage Range is not applicable to that category of staff. However, the procuring department should further evaluate the reasonableness of the concerned manpower input and staff rates of this category of staff in accordance with paragraph 26 of DEVB TC(W) No. 2/2016.”</i></p>
<p>Checking of Specified Percentage Range Requirement in Appendix 7.1 of AACSB Handbook Revision No. 27</p>	<p>The first 2 pages of the Appendix 7.1 are replaced by the ones in Annex A2.</p>
<p>Sample Invitation Letter for Technical and Fee Proposals (By Typical / Modified Formula Approach) in Annex 3 to Appendix 34 of AACSB Handbook Revision No. 27</p>	<p>The paragraph 7 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>7. Your attention is drawn to <i>the requirement to insert the all-inclusive time charge rates for additional Services in respect of each category of staff specified in the prescribed fee proforma, which are essential for bid assessment purpose and will be used for payment of additional Services/management of the Consultants upon award of the Agreement. If you fail to put in any or all of these rates, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. If the “Percentage Difference” (as determined in accordance with Appendix D to Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and its subsequent updates (if</i></p>

*any)) between the “staff rates for additional Services” and the “staff rates in lump sum fee”** for any or all of the categories of staff is higher than +40%, the relevant all-inclusive time charge rate(s) for additional Services shall be corrected to be equal to the corresponding rate(s) with “Percentage Difference” of +40% as rounded down to the nearest cent. If the “Percentage Difference” between the “staff rates for additional Services” and the “staff rates in lump sum fee” for any or all of the categories of staff is lower than -10%, the relevant all-inclusive time charge rate(s) for additional Services shall be corrected to be equal to the corresponding rate(s) with “Percentage Difference” of -10% as rounded up to the nearest cent. We will seek confirmation from you to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the Consultants upon award of the Assignment. If you confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be completed in the prescribed manner in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and their subsequent updates (if any) on the basis of the proposed fee and/or rates with such rate(s) so corrected and confirmed. If you fail to confirm your agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, your bid shall not be considered further for this consultant selection exercise. Checking of the “Specified Percentage Range” requirement is set out at Appendix 7.1 of the AACSB Handbook. You should also refer to the Conditions for Submission of Technical and Fee Proposals at Attachment IV and the Guidelines on the Preparation of Fee Proposal at Attachment VI for the details.*

<p>Sample Conditions for Submission of Technical and Fee Proposals in Annex 3 to Appendix 34 of AACSB Handbook Revision No. 27</p>	<p>Paragraph 2(c) of Part B – “Fee Proposal” is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“2(c) We will not accept Fee Proposal <i>where the</i> lump sum fee on the first page of the Fee Proposal is different from the total fee for the staff and non-staff charges for all stages in the summary breakdown of lump sum fee; or</p> <p>(ii) the percentage difference between the “staff rates for additional Services” and the “staff rates in lump sum fee” exceeds the “Specified Percentage Range”.”</p>
<p>Sample Guidelines on the Preparation of Fee Proposal in Annex 3 to Appendix 34 of AACSB Handbook Revision No. 27</p>	<p>Paragraphs 8(b) and (c) are replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“8(b) The all-inclusive time charge rates for additional Services shall be used to calculate the adjusted notional value for additional Services which shall then be added to other fee components to arrive at a total fee for assessment of Fee Proposals. These all-inclusive time charge rates shall also be converted into “staff rates for additional Services” in Section 3.12 and Appendix 7.1 of the AACSB Handbook. <i>The percentage difference between “staff rates in lump sum fee” and “staff rates for additional Services” in respect of each staff group, shall not exceed the “Specified Percentage Range” stated in the invitation letter.</i></p> <p>8(c) <i>Any all-inclusive time charge rate for additional Services entered by the consultant in the fee proposal with a Percentage Difference higher than +40% shall be corrected to be equal to the corresponding rate with a Percentage Difference of +40% as rounded down to the nearest cent. Any all-</i></p>

	<p><i>inclusive time charge rate for additional Services entered by the consultant in the fee proposal with a Percentage Difference lower than -10% shall be corrected to be equal to the corresponding rate with a Percentage Difference of -10% as rounded up to the nearest cent. If the consultant fails to put in any or all of the all-inclusive time charge rate(s) for additional Services, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. The consultant will be requested to confirm that it agrees to abide by its bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment. If the total fee and total manpower input of a particular category of staff are both zero, and/or the all-inclusive time charge rate for additional Services of a particular category of staff is missing or zero, the requirement of Specified Percentage Range is not applicable to that category of staff. However, the procuring department should further evaluate the reasonableness of the concerned manpower input and staff rates of this category of staff in accordance with paragraph 26 of DEVB TC(W) No. 2/2016.”</i></p>
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Checking of Specified Percentage Range Requirement

1. Checking shall be conducted for each category of staff stated in the fee proposal proforma, which normally would include the following categories of staff:

- | | |
|--------------------------------|-----|
| - Partners/Directors | P/D |
| - Chief Professional Staff | CP |
| - Senior Professional Staff | SP |
| - Professional Staff | P |
| - Assistant Professional Staff | AP |
| - Technical Staff | T |

2. “Staff rate in lump sum fee” for a category of staff shall be calculated according to the following formula:

$$\frac{\text{Total fee of the category of staff}}{\text{Total manpower input of the category of staff}}$$

For example, the staff rate in lump sum fee for the CP category shall be calculated according to the following formula:

$$\frac{\text{Total fee}_{CP}}{\text{Total manpower input}_{CP}}$$

3. “Staff rate for additional Services (AS)” of a category of staff refers to the corresponding all-inclusive time charge rate for additional Services entered by the consultant on the first page of the fee proposal proforma.

4. A “Percentage Difference” shall be calculated for each category of staff according to the following formula:

$$\text{Percentage Difference} = \frac{\text{Staff rate for AS} - \text{Staff rate in lump sum fee}}{\text{Staff rate for AS}}$$

For example, the Percentage Difference for the CP category shall be calculated according to the following formula:

$$\frac{\text{Staff rate for AS}_{CP} - \text{Staff rate in lump sum fee}_{CP}}{\text{Staff rate for AS}_{CP}}$$

Any all-inclusive time charge rate for additional Services entered by the consultant on the first page of the fee proposal proforma with a Percentage Difference higher than +40% shall be corrected to be equal to the corresponding rate with a Percentage Difference of +40% as rounded down to the nearest cent. Any all-inclusive time charge rate for additional Services entered by the consultant on the first page of the fee proposal proforma with a Percentage Difference lower than -10% shall be corrected to be equal to the corresponding rate with a Percentage Difference of -10% as rounded up to the nearest cent. If the consultant fails to put in any or all of the all-inclusive time charge rate(s) for additional Services, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. The consultant will be requested to confirm that it agrees to abide by its bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment.

If the total fee and total manpower input of a particular category of staff are both zero, and/or the all-inclusive time charge rate for additional Services of a particular category of staff is missing or zero, the requirement of Specified Percentage Range is not applicable to that category of staff. However, the procuring department should further evaluate the reasonableness of the concerned manpower input and staff rates of this category of staff in accordance with paragraph 26 of this Circular.

Note: If conversion from man-week to man-hour is required, a conversion factor of 40 hours/week is normally adopted.

**CHECKING OF
SPECIFIED PERCENTAGE RANGE REQUIREMENT**

1. Checking shall be conducted for each category of staff stated in the fee proposal proforma, which normally would include the following categories of staff:

- Partners/Directors	P/D
- Chief Professional	CP
- Senior Professional	SP
- Professional	P
- Assistant Professional	AP
- Technical	T

2. “Staff rate in lump sum fee” for a category of staff shall be calculated according to the following formula:

$$\frac{\text{Total fee of the category of staff}}{\text{Total manpower input of the category of staff}}$$

For example, the staff rate in lump sum fee for the “CP” category shall be calculated according to the following formula:

$$\frac{\text{Total fee}_{CP}}{\text{Total manpower input}_{CP}}$$

3. “Staff rate for additional Services (AS)” of a category of staff refers to the corresponding all-inclusive time charge rate for additional Services entered by the consultant on the first page of the fee proposal proforma:

4. A “Percentage Difference” shall be calculated for each category of staff according to the following formula:

$$\text{Percentage Difference} = \frac{\text{Staff rate for AS} - \text{Staff rate in lump sum fee}}{\text{Staff rate for AS}}$$

For example, the Percentage Difference for the CP category shall be calculated according to the following formula:

$$\frac{\text{Staff rate for AS}_{CP} - \text{Staff rate in lump sum fee}_{CP}}{\text{Staff rate for AS}_{CP}}$$

Any all-inclusive time charge rate for additional Services entered by the consultant on the first page of the fee proposal proforma with a Percentage Difference higher than +40% shall be corrected to be equal to the corresponding rate with a Percentage Difference of +40% as rounded down to the nearest cent. Any all-inclusive time charge rate for additional Services entered by the consultant on the first page of the fee proposal proforma with a Percentage Difference lower than -10% shall be corrected to be equal to the corresponding rate with a Percentage Difference of -10% as rounded up to the nearest cent. If the consultant fails to put in any or all of the all-inclusive time charge rate(s) for additional Services, the relevant rate(s) shall be corrected by deeming the rate(s) as zero. The consultant will be requested to confirm that it agrees to abide by its bid with the relevant rate(s) so corrected for bid assessment purpose and for payment of additional Services/management of the consultant upon award of the assignment.

If the total fee and total manpower input of a particular category of staff are both zero, and/or the all-inclusive time charge rate for additional Services of a particular category of staff is missing or zero, the requirement of Specified Percentage Range is not applicable to that category of staff. However, the procuring department should further evaluate the reasonableness of the concerned manpower input and staff rates of this category of staff in accordance with paragraph 26 of DEVB TC(W) No. 2/2016.

Note: If conversion from man-week to man-hour is required, a conversion factor of 40 hours/week is normally adopted.

Reference	Updates
<p>Section 3.3 of the Guidelines under the DEVB TC(W) No. 5/2018</p>	<p>Section 3.3(d) and (e) are added as below:</p> <p>“(d) The bidder is required to complete and submit the table in Annex F to the Sample Invitation Letter for EOI in Appendix 3.1 of the EACSB Handbook with its EOI submission and the table in Annex D to the Sample Invitation Letter for T&F Proposal (For Two-stage Selection Process) in Appendix 3.4 of the EACSB Handbook or Annex G to the Sample Invitation Letter for T&F Proposal (For One-stage Selection Process) in Appendix 3.4A of the EACSB Handbook with its Technical Proposal. In each of the said tables, the bidder is required to indicate, if any, the name of each proposed sub-consultant, the scope of sub-consulting services to be undertaken by each listed and unlisted sub-consultant to be employed, the relevant listed service category or discipline for which each sub-consultant is to be employed and the corresponding list maintained and published by the Government. If the proposed sub-consultant is unlisted but an application for inclusion on the List of Consultants of EACSB under the relevant Service Category has been made prior to the date set for close of submission of EOI, the bidder is required to indicate on which the date such application is made in the table for EOI submission (these items of information are collectively referred to in this paragraph as “the sub-consultants’ information”). Notwithstanding the above, the Assessment Panel shall read the table, if submitted, in conjunction with other parts of the EOI submission and/or Technical Proposal in assessing the sub-consulting services to be undertaken by each listed and unlisted sub-consultant to be employed.</p> <p>(e) In case there is ambiguity or inconsistency in the</p>

	<p>sub-consultants' information contained in the table and other parts of the EOI submission and/or Technical Proposal, the Assessment Panel should consider all supporting information in the tender as a whole and exercise their best judgement or best practice to assess the tender as it is. Where there is no room for manipulation by a bidder by virtue of subsequent clarification/ correction or where the clarification/ correction of such ambiguity would not change the EOI submission and/or Technical Proposal in substance or the quality of the EOI submission or Technical Proposal which would give the bidder an advantage over the other bidders, the concerned bidders may be permitted to clarify/correct the ambiguity or inconsistency. In determining if the sub-consulting service to be undertaken by a proposed sub-consultant falls within the scope of the listed Service Categories or disciplines on the restrictive list provided by the procuring departments, the Assessment Panel shall refer to the last paragraph of Section 2.3.1(b) of the Guidelines for reference.”</p>
<p>Sample Invitation Letter for Expression of Interest in Appendix 3.1 of EACSB Handbook Revision No. 16</p>	<p>The paragraph 17 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“17. If sub-consultants are to be employed, you are required to complete the table in Annex _____ to this letter indicating, if any, <i>the name of each proposed sub-consultant</i>, the scope of sub-consulting services to be undertaken by each listed and unlisted sub-consultant to be employed, the relevant listed service category or discipline for which each sub-consultant is to be employed and the corresponding list maintained and published by the Government, <i>and if</i> your proposed sub-consultant is unlisted but <i>an application for</i> inclusion on the List of Consultants of EACSB</p>

	<p>under the relevant Service Category has been made prior to the date set for close of submission of Expression of Interest, please also indicate <i>the date on which</i> such application is made in the table (<i>these items of information are collectively referred to in this paragraph as “the sub-consultants’ information”</i>). Failure to submit <i>any item of the sub-consultants’ information</i> in the Expression of Interest submission, <i>which makes the compliance check with the bidding restrictions as set out in Annex _____ to this letter</i> <i>【 Inclusion of this Annex to this letter is mandatory - see Paragraph 12a. above 】 in the respect of engagement of sub-consultants unable to be conducted</i> will lead to disqualification of the consultant’s Expression of Interest submission. If you have any enquiry <i>on</i> completing the table on whether the sub-consulting service to be undertaken by a sub-consultant is within the scope of a particular listed service category or discipline and would like to seek clarification, your enquiry must be delivered to me by hand before 12:00 noon, _____ <i>【 the procuring department should specify the exact date here, say at least ten working days before the deadline for submission of EOI 】</i> . The enquiry shall be sufficiently specific to facilitate the preparation of clarification. Late enquiry will not be entertained.<i>【Inclusion of Annex F as an Annex to this letter is mandatory. 】</i> ”</p>
<p>Sample Invitation Letter for Technical and Fee Proposals (For Two-stage Consultants Selection) in Appendices 3.4 of EACSB Handbook Revision No. 16</p>	<p>The paragraph 25 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“25. If sub-consultants are to be employed, you are required to complete the table attached in Annex _____ to this letter indicating, if any, <i>the name of each proposed sub-consultant</i>, the scope</p>

	<p>of sub-consulting services to be undertaken by each listed and unlisted sub-consultant to be employed, the relevant listed service category or discipline for which each sub-consultant is to be employed and the corresponding list maintained and published by the Government (<i>these items of information are collectively referred to in this paragraph as “the sub-consultants’ information”</i>). Failure to submit <i>any item of the sub-consultants’ information in the Technical Proposal, which makes the compliance check with the bidding restrictions as set out in Annex _____ to this letter [Annex B as stated in paragraph 15a above.] in the respect of engagement of sub-consultants unable to be conducted</i> will lead to disqualification of consultant’s Technical and Fee Proposal. If you have any enquiry <i>on</i> completing the table on whether the sub-consulting service to be undertaken by a sub-consultant is within the scope of a particular listed service category or discipline and would like to seek clarification, your enquiry must be delivered to me by hand before 12:00 noon, _____ 【 the procuring department should specify the exact date here, preferably same as the deadline of provision of list of queries for pre-submission meeting 】 . The enquiry shall be sufficiently specific to facilitate the preparation of clarification. Late enquiry will not be entertained. 【Inclusion of Annex D as an Annex to this letter is mandatory. 】</p>
<p>Sample Invitation Letter for Technical and Fee Proposals (For One-stage Consultants Selection) in Appendices 3.4A of</p>	<p>The paragraph 31 is replaced by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“31. If sub-consultants are to be employed, you are required to complete the table attached in</p>

EACSB Handbook
Revision No. 16

Annex _____ to this letter indicating, if any, ***the name of each proposed sub-consultant***, the scope of sub-consulting services to be undertaken by each listed and unlisted sub-consultant to be employed, the relevant listed service category or discipline for which each sub-consultant is to be employed and the corresponding list maintained and published by the Government (***these items of information are collectively referred to in this paragraph as “the sub-consultants’ information”***). Failure to submit ***any item of the sub-consultants’ information in the Technical Proposal, which makes the compliance check with the bidding restrictions as set out in Annex _____ to this letter*** ***【Inclusion of this Annex to this letter is mandatory - see Paragraph 14a. above】*** in the respect of engagement of sub-consultants ***unable to be conducted*** will lead to disqualification of consultant’s Technical and Fee Proposal. If you have any enquiry ***on*** completing the table on whether the sub-consulting service to be undertaken by a sub-consultant is within the scope of a particular listed service category or discipline and would like to seek clarification, your enquiry must be delivered to me by hand before 12:00 noon, _____ ***【the procuring department should specify the exact date here, preferably same as the deadline of provision of list of queries for pre-submission meeting】*** . The enquiry shall be sufficiently specific to facilitate the preparation of clarification. Late enquiry will not be entertained. ***【Inclusion of Annex G as an Annex to this letter is mandatory.】*** ”

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 DAFC
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Reference	Updates
Appendix E of DEVB TC(W) No. 2/2016	<p>The current version of last paragraph:</p> <p>“The lump sum fee of a consultant is normally, prima facie, unreasonably low if both ratios of his lump sum fee / lump sum fee of the PTE and his lump sum fee / median of lump sum fees of all conforming bids (including the PTE) are less than 0.6.”</p> <p>is replaced by the following updated version (changes highlighted in <i>bold and italic</i>)</p> <p>“The lump sum fee of a consultant is normally, prima facie, unreasonably low if <i>either</i> ratio of his lump sum fee / lump sum fee of the PTE <i>or ratio of</i> his lump sum fee / median of lump sum fees of all conforming bids (including the PTE) <i>is</i> less than 0.6. <i>If a suspected unreasonably low bid is recommended, the project office shall ensure that the recommendation must be fully justified taking into account the outcome of the enquiry made with the consultant.</i>”</p>

Distribution

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DHy (Attn: Mr W K Ng)
DWS (Attn: Mr S W Chau)
DAFC (Attn: Mr Patrick Lai)
DB (Attn: Mr Tommy Tam)
DEP (Attn: Dr Samuel Chui)
DHA (Attn: Mr Gavin Tse)
D of L (Attn: Mr Lawrance Chan)
D of Plan (Attn: Ms Maggie Chin)
DSW (Attn: Mr C M Lai)
C for T (Attn: Mr W L Tang)
D of H (Attn: Mr Stephen Leung)
STH (Attn: Mr Kelvin Ng)
EDB (Attn: Mr Samuel Fan)
H/EKEO (Attn: Ms Joyce Tang)

c.c.

LA(W) (Attn: Ms Caroline Lee)
SFST (Attn: Ms Margaret Hsia)
Secretary, AACSB
Secretary, EACSB

**Extract of Provision on Fee Diving Control Mechanism
in Part B of Appendix 3.2 to the Guidelines of DEVB TC(W) No. 5/2018**

A threshold is set at 80% of the Median Consultancy Fee (Fx) which is the median of consultancy fees of all conforming bids and the pretender estimated consultancy fee worked out by the procuring department for that particular assignment.

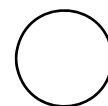
If the lowest fee quoted is higher than or equal to 0.8 Fx, the assessment method of weighted consultancy fee score will be the same for all bids, i.e. the formula below will apply:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \frac{\text{Lowest fee among all conforming bids}}{\text{Fee of bid being assessed}}$$

If the lowest fee quoted is less than 0.8 Fx, any fees quoted below 0.8 Fx will get the full fee score and other fees quoted will get score by applying the formula below:

$$\text{Weighted Consultancy Fee Score} = \text{Specified weighting} \times \frac{0.8 Fx}{\text{Fee of bid being assessed}}$$

MEMO



<i>From</i>	Secretary for Development	<i>To</i>	Distribution
<i>Ref.</i>	() in DEVB(PS) 106/43	<i>(Attn:</i>)
<i>Tel. No.</i>	3509 7279	<i>Your Ref.</i>	
<i>Fax No.</i>	2905 1181	<i>Dated</i>	<i>Fax No.</i>
<i>Date</i>	7 October 2020	<i>Total Pages</i>	2 + encl.

Page Limit Requirements of Technical Proposals for AACSB and EACSB Consultancy Agreements

This memo promulgates the revised guidelines on setting the page limit requirements of technical proposals in AACSB and EACSB Handbooks as amended by our memos ref. DEVB (PS) 106/43 dated 29 December 2017 and 8 August 2019.

2. The revisions serve to provide clearer guidelines for project officers to set appropriate page limits of technical proposals to suit the nature of individual assignments. In gist, the page limits should be set to permit bidders to present their proposals with sufficient level of details whilst avoiding inclusion of unnecessary information. This will help save the resources of both bidders and assessment panels.

3. We also take the opportunity to review the mechanism on treating submissions with excessive pages of technical proposals and attachments, which includes both discarding the excessive pages prior to the assessment and deducting one mark per excessive page from the technical score. To avoid double penalties, the requirement to deduct mark for each excessive page will be deleted. This arrangement will also apply to EOI submissions.

4. The revised guidelines are given in **Annex A**. The secretaries of AACSB and EACSB are requested to update the respective Handbooks accordingly.

5. This memo shall apply to all AACSB and EACSB consultancy agreements with EOI submissions or T&F proposals to be invited on or after **2 November 2020**.

6. Please bring this memo to the attention of project officers responsible for management of consultancy agreements.

7. If there are any enquiries, please contact Mr Steve Chan, AS(WP4)5 on tel. no. 3655 5282.

(Y K H O)
for Secretary for Development

Encl.

Distribution

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LA(W) (Attn: Ms Caroline Lee)
SFST (Attn: Ms Margaret Hsia)
Secretary, AACSB
Secretary, EACSB

**Updates on Page Limit Requirements
of EOI Submissions and Technical Proposals**

(a) General Requirements

Reference	Updates
Guidelines for Preparation of Marking Scheme (for Assessment of Technical Proposals) at Appendix B of DEVB TC(W) No. 2/2016	<p>The current version of Point (5) of Part (B) on Preparation of Marking Scheme (Page B7 of 7):</p> <p>“(5) The Marking Scheme shall spell out the deduction of marks for exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae and non-compliance with the specified format, such as font size, margin, paper size, etc. Normally, 1 mark per page shall be deducted for exceedance of the page limits and 1 mark for non-compliance with the format.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“(5) <i>For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae, all the exceeded pages shall be discarded prior to the assessment. For non-compliance with the specified format, such as font size, margin, paper size, double-sided printing, etc., 1 mark shall normally be deducted for non-compliance with the format. The above requirements shall be spelt out in the Marking Scheme.</i>”</p>

(b) EACSB Consultancy Agreements

Reference	Updates
<p>Sample Invitation Letter for EOI Submissions (promulgated through SDEV’s memos ref. DEVB(PS) 106/43 dated 29 December 2017, 8 August 2019 and 2 October 2019)</p>	<p>The current version of paragraph 4:</p> <p>“Please note that no attachments, except attachments for the curriculum vitae of the key staff likely to be employed on the consultancy (limited to 2 pages in A4 size per staff) and the organization chart of the study/project team (limited to 1 page in A3 size) as mentioned above, should be included in your submission. The expression of interest (EOI) submission including the attachments shall be inexpensively bound and printed on both sides. Late submissions or submissions containing pricing information shall not be considered. For exceedance of the specified number of pages of EOI submission and attachments or inclusion of attachments other than curriculum vitae and organization chart, 1 mark per page shall be deducted from the overall score and all these exceeded pages shall be discarded prior to the assessment. Also, 1 mark shall be deducted from the overall score for non-compliance with the specified format such as the page size, font size, or double-sided printing. Documents submitted in response to paragraphs 9, 10, 13, 14, 17 and 18 below are not counted towards the number of pages of the EOI submission.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Please note that no attachments, except attachments for the curriculum vitae of the key staff likely to be employed on the consultancy (limited to 2 pages in A4 size per staff) and the organization chart of the study/project team (limited to 1 page in A3 size) as mentioned above, should be included in your submission. The expression of interest (EOI) submission including the attachments shall be inexpensively bound and printed on both sides. Late submissions or submissions containing pricing information shall not be considered. For exceedance of the specified number of pages of EOI submission and attachments or inclusion of attachments other than curriculum vitae and organization chart, <i>all the exceeded pages shall be discarded prior to the assessment.</i> Also, 1 mark shall be deducted from the overall score for non-compliance with the specified format such as the page size, font size, or double-sided printing. Documents submitted in response to paragraphs 9, 10, 13, 14, 17 and 18 below are not counted towards the number of pages of the EOI submission.”</p>

Reference	Updates
<p>Sample Template for Guidelines on Preparation on Technical Proposal (promulgated through SDEV’s memos ref. DEVB(PS) 106/43 dated 29 December 2017 and 8 August 2019)</p>	<p>The current version of the first and second paragraphs of Part A:</p> <p>“Consultants are encouraged to use electronic format in submitting their proposals. They are nevertheless free to choose the format (i.e. paper or CD-ROM). The technical proposals should be limited to [30] pages in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae, with a minimum font size of 12 points Times New Roman or equivalent. The appendices attached to the technical proposals should be limited to [30] pages in A4 size (excluding pages of manning schedule in A3 size, the table indicating the listed and unlisted sub-consultants to be employed and the sub-consulting service undertaken, and any declarations/confirmations required in A4 size), the figures/drawings/ illustrations limited to [30] pages in A3 size and the curriculum vitae limited to [2] pages per staff in A4 size.</p> <p>For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae and non-compliance with the specified format in the first paragraph above, such as font size, paper size, doubled-sided printing, etc., marks shall be deducted from the overall technical score (see Note(5) in Part B). All the exceeded pages shall be discarded prior to assessment.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Consultants are encouraged to use electronic format in submitting their proposals. They are nevertheless free to choose the format (i.e. paper or CD-ROM). The technical proposals should be limited to [<i>8-15[#]</i>] pages in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae, with a minimum font size of 12 points Times New Roman or equivalent. The appendices attached to the technical proposals should be limited to [<i>20[#]</i>] pages in A4 size (excluding pages of manning schedule in A3 size, the table indicating the listed and unlisted sub-consultants to be employed and the sub-consulting service undertaken, <i>curriculum vitae</i> and any declarations/ confirmations required in A4 size), the figures/drawings/ illustrations limited to [<i>15[#]</i>] pages in A3 size and the curriculum vitae limited to [2] pages per staff in A4 size.</p>

Reference	Updates																
	<p>For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae <i>in the first paragraph above, all the exceeded pages shall be discarded prior to the assessment. For non-compliance with the specified format in the first paragraph above, such as font size, paper size, doubled-sided printing, etc., mark(s) shall be deducted from the overall technical score (see Note(5) in Part B).</i></p> <p>#Remarks:</p> <p><i>It is the procuring department’s responsibility to select an appropriate page limit that suits the nature of an assignment under consideration. The page limits set in the first paragraph should generally be used under normal circumstances. Guidelines on the page limits for normal and special circumstances are given below:</i></p> <table border="1" data-bbox="560 954 1415 1473"> <thead> <tr> <th data-bbox="560 954 884 1128"></th> <th colspan="3" data-bbox="884 954 1415 1003"><i>Page Limits</i></th> </tr> <tr> <th data-bbox="560 1003 884 1128"></th> <th data-bbox="884 1003 1061 1128"><i>Technical proposal</i></th> <th data-bbox="1061 1003 1235 1128"><i>Appendices</i></th> <th data-bbox="1235 1003 1415 1128"><i>Figures/ Drawings/ Illustrations</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="560 1128 884 1173"><i>Normal circumstances</i></td> <td data-bbox="884 1128 1061 1173"><i>8 to 15</i></td> <td data-bbox="1061 1128 1235 1173"><i>Up to 20</i></td> <td data-bbox="1235 1128 1415 1173"><i>Up to 15</i></td> </tr> <tr> <td data-bbox="560 1173 884 1473"><i>Special circumstances (e.g. assignments of high complexity, large scale or other circumstances that the Assessment Panel considers appropriate)</i></td> <td data-bbox="884 1173 1061 1473"><i>Up to 30</i></td> <td data-bbox="1061 1173 1235 1473"><i>Up to 30</i></td> <td data-bbox="1235 1173 1415 1473"><i>Up to 30</i></td> </tr> </tbody> </table> <p><i>Page limits deviating from the above table can also be adopted, subject to the approval by an officer of D3 rank or above. The justifications including deliberations by the Assessment Panel should be properly recorded.</i></p> <p><i>Project offices may solicit comments from consultants on the page limits at the pre-submission meeting if necessary. In case any subsequent adjustment of the page limits is considered appropriate by the Assessment Panel, the consultants should be notified of the change and be given adequate time for preparing the Technical Proposals in response to the revised submission requirement.”</i></p>		<i>Page Limits</i>				<i>Technical proposal</i>	<i>Appendices</i>	<i>Figures/ Drawings/ Illustrations</i>	<i>Normal circumstances</i>	<i>8 to 15</i>	<i>Up to 20</i>	<i>Up to 15</i>	<i>Special circumstances (e.g. assignments of high complexity, large scale or other circumstances that the Assessment Panel considers appropriate)</i>	<i>Up to 30</i>	<i>Up to 30</i>	<i>Up to 30</i>
	<i>Page Limits</i>																
	<i>Technical proposal</i>	<i>Appendices</i>	<i>Figures/ Drawings/ Illustrations</i>														
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<i>Special circumstances (e.g. assignments of high complexity, large scale or other circumstances that the Assessment Panel considers appropriate)</i>	<i>Up to 30</i>	<i>Up to 30</i>	<i>Up to 30</i>														

Reference	Updates																																				
	<p>The current version of note (5) of Part B:</p> <p>“(5) [1] mark per page shall be deducted for exceedance of the page limits and [1] mark for non-compliance with the format.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“(5) [1] mark <i>shall be deducted</i> for non-compliance with the format.”</p>																																				
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<p>Guidelines on Preparation on Technical Proposals in Appendix 3.10 of EACSB Handbook – Reference Procedures for One-stage Consultants Selection (promulgated through SDEV’s memo ref. (02WWQ-01-12) in DEVB(PS) 106/43 dated 7 July 2017)</p>	<p>The current version of the first and second paragraphs of Part I:</p> <p>“Consultants are encouraged to use electronic format in submitting their proposals. They are nevertheless free to choose the format (i.e. paper or CDROM). The technical proposal shall be limited to 12 or 20 pages in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae, with a minimum font size of 12 points Times New Roman or equivalent. The appendices attached to technical proposals should be limited to 30 pages in A4 size (excluding pages of manning schedule in A3 size and any declaration in A4 size), the figures/drawings/illustrations limited to 12 or 20 pages in A3 size and the curriculum vitae limited to 2 pages per staff in A4 size. The technical proposals including the attachments shall be inexpensively bound, printed on both sides.</p> <p>For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae and non-compliance with the specified format in the first paragraph above, such as font size, paper size, double-sided printing, etc., marks shall be deducted from the overall technical score (see Note (5) in Part (B)(II)).”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Consultants are encouraged to use electronic format in submitting their proposals. They are nevertheless free to choose the format (i.e. paper or CDROM). The technical proposal shall be limited to <i>12 or 20</i> pages in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae, with a minimum font size of 12 points Times New Roman or equivalent. The appendices attached to <i>the</i> technical proposals should be limited to 30 pages in A4 size (excluding pages of manning schedule in A3 size, <i>curriculum vitae</i> and any <i>declarations/ confirmations required</i> in A4 size), the figures/drawings/illustrations limited to <i>12 or 20</i> pages in A3 size and the curriculum vitae limited to 2 pages per staff in A4 size. The technical proposals including the attachments shall be inexpensively bound, printed on both sides.</p> <p>For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae <i>in the first paragraph above, all the exceeded pages shall be discarded prior to the assessment. For non-</i></p>

Reference	Updates
	<p>compliance with the specified format in the first paragraph above, such as font size, paper size, doubled-sided printing, etc., <i>mark(s)</i> shall be deducted from the overall technical score (see Note(5) in Part (B)(II)).”</p> <hr/> <p>The current version of note (5) of Part II:</p> <p>“(5) [1] mark per page shall be deducted for exceedance of the page limits and [1] mark for non-compliance with the format.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“(5) [1] mark <i>shall be deducted</i> for non-compliance with the format.”</p>

(c) AACSB Consultancy Agreements

Reference	Updates
<p>Invitation Letter for Expression of Interest in Appendix 3.1 of AACSB Handbook</p>	<p>The current version of paragraph 8:</p> <p>“Please note that no attachments, except attachments for the curriculum vitae of the core personnel likely to be employed on the consultancy (limited to 2 pages in A4 size per staff) and the organization chart of the study/project team (limited to 1 page in A3 size) as mentioned above, should be included in your submission. The expression of interest (EOI) submission including the attachments shall be inexpensively bound and printed on both sides. Late submissions or submissions containing pricing information shall not be considered. For exceedance of the specified number of pages of EOI submission and attachments or inclusion of attachments other than curriculum vitae and organization chart, 1 mark per page shall be deducted from the overall score and all these exceeded pages shall be discarded prior to the assessment. Also, 1 mark shall be deducted from the overall score for non-compliance with the specified format such as the page size, font size, or double-sided printing. Documents submitted in response to paragraphs 11, 15 and 16 below are not counted towards the number of pages of the EOI submission.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“Please note that no attachments, except attachments for the curriculum vitae of the core personnel likely to be employed on the consultancy (limited to 2 pages in A4 size per staff) and the organization chart of the study/project team (limited to 1 page in A3 size) as mentioned above, should be included in your submission. The expression of interest (EOI) submission including the attachments shall be inexpensively bound and printed on both sides. Late submissions or submissions containing pricing information shall not be considered. For exceedance of the specified number of pages of EOI submission and attachments or inclusion of attachments other than curriculum vitae and organization chart, <i>all the exceeded pages shall be discarded prior to the assessment.</i> Also, 1 mark shall be deducted from the overall score for non-compliance with the specified format such as the page size, font size, or double-sided printing. Documents submitted in response to paragraphs 11, 15 and 16 below are not counted towards the number of pages of the EOI submission.”</p>

Reference	Updates
<p>Conditions for Submission of Technical and Fee Proposals in Annex D of Appendix 5.1 of AACSB Handbook</p>	<p>The current version of paragraph 2(a) of Part A:</p> <p>“(a) limited to 30 pages (<i>or less for less complex and technically straightforward assignments if considered appropriate by the Assessment Panel</i>) in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae. The appendices attached to the technical proposals should be limited to 30 pages (<i>or less for less complex and technically straight-forward assignments if considered appropriate by the Assessment Panel</i>) in A4 size (excluding pages of manning schedule in A3 size and any declarations/confirmations required in A4 size), the figures/drawings/illustrations limited to 30 pages (<i>or less for less complex and technically straight-forward assignments if considered appropriate by the Assessment Panel</i>) in A3 size and the curriculum vitae limited to 2 pages per staff in A4 size.</p> <p><i>Apart from the above page limit, unless otherwise stated, no specific design input, such as perspectives, models, three dimensional rendering or animation, axonometric, plans or elevations are to be submitted other than three A4 sheets of block plan, bubble diagrams and diagrammatic sections all to a scale of 1:500 or less. [Note: for architectural consultancies with no drawings to be submitted.]”</i></p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“(a) limited to <i>[8-15#] pages in A4 size</i>, excluding attachments of appendices, figures/drawings and curriculum vitae. The appendices attached to the technical proposals should be limited to <i>[20#] pages in A4 size</i> (excluding pages of manning schedule in A3 size, <i>curriculum vitae</i> and any declarations/confirmations required in A4 size), the figures/drawings/illustrations limited to <i>[15#] pages in A3 size</i> and the curriculum vitae limited to 2 pages per staff in A4 size.</p> <p><i>Apart from the above page limit, unless otherwise stated, no specific design input, such as perspectives, models, three dimensional rendering or animation, axonometric, plans or elevations are to be submitted other than three A4 sheets of block plan, bubble diagrams and diagrammatic sections all</i></p>

Reference	Updates																
	<p data-bbox="630 230 1417 304"><i>to a scale of 1:500 or less. [Note: for architectural consultancies with no drawings to be submitted.]</i></p> <p data-bbox="630 360 775 389">#Remarks:</p> <p data-bbox="630 445 1417 689"><i>It is the procuring department’s responsibility to select an appropriate page limit that suits the nature of an assignment under consideration. The page limits set in paragraph (a) should generally be used under normal situations. Guidelines on the page limits for different assignments are given below:</i></p> <table border="1" data-bbox="619 732 1417 1292"> <thead> <tr> <th data-bbox="619 732 884 907"></th> <th colspan="3" data-bbox="884 732 1417 779"><i>Page Limits</i></th> </tr> <tr> <th data-bbox="619 779 884 907"></th> <th data-bbox="884 779 1061 907"><i>Technical proposal</i></th> <th data-bbox="1061 779 1238 907"><i>Appendices</i></th> <th data-bbox="1238 779 1417 907"><i>Figures/ Drawings/ Illustrations</i></th> </tr> </thead> <tbody> <tr> <td data-bbox="619 907 884 954"><i>Normal situations</i></td> <td data-bbox="884 907 1061 954"><i>8 to 15</i></td> <td data-bbox="1061 907 1238 954"><i>Up to 20</i></td> <td data-bbox="1238 907 1417 954"><i>Up to 15</i></td> </tr> <tr> <td data-bbox="619 954 884 1292"><i>Special situations (e.g. assignments of high complexity, large scale or other circumstances as considered appropriate by the Assessment Panel)</i></td> <td data-bbox="884 954 1061 1292"><i>Up to 30</i></td> <td data-bbox="1061 954 1238 1292"><i>Up to 30</i></td> <td data-bbox="1238 954 1417 1292"><i>Up to 30</i></td> </tr> </tbody> </table> <p data-bbox="630 1346 1417 1503"><i>Page limits deviating from the above table can also be adopted, subject to the approval by an officer of D3 rank or above. The justifications including deliberations by the Assessment Panel should be properly recorded.</i></p> <p data-bbox="630 1559 1417 1883"><i>The procuring department may solicit comments from consultants on the page limits at the pre-submission meeting if found necessary. In case any subsequent adjustment of the page limits is considered appropriate by the Assessment Panel, the consultants should be clearly notified of the change and be given adequate time for preparing the Technical Proposals in response to the revised submission requirement.”</i></p>		<i>Page Limits</i>				<i>Technical proposal</i>	<i>Appendices</i>	<i>Figures/ Drawings/ Illustrations</i>	<i>Normal situations</i>	<i>8 to 15</i>	<i>Up to 20</i>	<i>Up to 15</i>	<i>Special situations (e.g. assignments of high complexity, large scale or other circumstances as considered appropriate by the Assessment Panel)</i>	<i>Up to 30</i>	<i>Up to 30</i>	<i>Up to 30</i>
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Reference	Updates
	<p>The current version of the last sub-paragraph in paragraph 2 of Part A:</p> <p>“Please note the deduction of marks for exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/ illustrations and curriculum vitae and non-compliance with the specified format, such as font size, margin, paper size, double-sided printing, etc. Normally, 1 mark per page shall be deducted for exceedance of the page limits and 1 mark for non-compliance with the format. All the exceeded pages shall be discarded prior to assessment.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p><i>“For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae, all the exceeded pages shall be discarded prior to the assessment. For non-compliance with the specified format, such as font size, margin, paper size, double-sided printing, etc., 1 mark shall be deducted for non-compliance with the format.”</i></p>
<p>Guidelines on the Preparation of Technical Proposal in Annex E of Appendix 5.1 of AACSB Handbook</p>	<p>The current version of note 7 in paragraph 3:</p> <p>“One mark per page shall be deducted for exceedance of the page limits and one mark for non-compliance with the format as prescribed in Annex D to the Letter of Invitation for Technical and Fee Proposals. All the exceeded pages shall be discarded prior to assessment.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p><i>“For exceedance of the page limits as prescribed in Annex D to the Letter of Invitation for Technical and Fee Proposals, all the exceeded pages shall be discarded prior to the assessment. One mark shall be deducted for non-compliance with the format as prescribed in Annex D to the Letter of Invitation for Technical and Fee Proposals.”</i></p>

Reference	Updates
<p>Conditions for Submission of Technical and Fee Proposals in Attachment IV to Annex 3 to Appendix 34 of AACSB Handbook</p>	<p>The current version of the second sub-paragraph in paragraph 2 of Part A:</p> <p>“The page limit on curriculum vitae (CV) is [2] pages per staff. The total no. of figures/illustrations attached to Technical Proposals shall also be limited to [30] pages <i>while the block plan, bubble diagrams and diagrammatic sections are limited to 3 sheets in total.</i>”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“The page limit on curriculum vitae (CV) is [2] pages per staff. The total no. of figures/illustrations attached to Technical Proposals shall also be limited to [<i>15</i>] pages <i>while the block plan, bubble diagrams and diagrammatic sections are limited to 3 sheets in total.</i>”</p>
	<p>The current version of the last sub-paragraph in paragraph 2 of Part A:</p> <p>“Please note the deduction of marks for exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/ illustrations and curriculum vitae and non-compliance with the specified format, such as font size, margin, paper size, double-sided printing, etc. Normally, 1 mark per page shall be deducted for exceedance of the page limits and 1 mark for non-compliance with the format. All the exceeded pages shall be discarded prior to assessment.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p><i>“For exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/ illustrations and curriculum vitae, all the exceeded pages shall be discarded prior to the assessment. For non-compliance with the specified format, such as font size, margin, paper size, double-sided printing, etc., 1 mark shall be deducted for non-compliance with the format.”</i></p>

Reference	Updates
<p>Guidelines on the Preparation of Technical Proposal in Attachment V to Annex 3 to Appendix 34 of AACSB Handbook</p>	<p>The current version of note 6 in paragraph 3:</p> <p>“One mark per page shall be deducted for exceedance of the page limits and one mark for non-compliance with the format as prescribed in Attachment IV to the Letter of Invitation for Technical and Fee Proposals. All the exceeded pages shall be discarded prior to assessment.”</p> <p>is <u>replaced</u> by the following updated version (changes highlighted in <i>bold and italic</i>):</p> <p>“For exceedance of the page limits <i>as prescribed in Attachment IV to the Letter of Invitation for Technical and Fee Proposals, all the exceeded pages shall be discarded prior to the assessment.</i> One mark <i>shall be deducted</i> for non-compliance with the format as prescribed in Attachment IV to the Letter of Invitation for Technical and Fee Proposals.”</p>

○

MEMO

From Secretary for Development
Ref. in DEVB(PS) 106/43
Tel. No. 3509 8739
Fax No. 2513 5608
Date 17 April 2019

To Distribution
(Attn.: _____)
Your Ref. _____
dated _____ Fax. No. _____
Total Pages 2

DEVB Technical Circular (Works) No. 2/2016 (“the Circular”)

**Minimum Qualification Requirement
for Staff under Category of Partners/ Directors**

According to Appendix C of the Circular, which has been subsumed to Engineering & Associated Consultants Selection Board (EACSB) Handbook and Architectural & Associated Consultants Selection Board (AACSB) Handbook, one of the suggested minimum qualification requirements for staff under Partners/ Directors category is to be a partner, or a company director who is a member of the Board with voting power at Board meetings (“the Requirement”). We have recently reviewed the usage of the Requirement with due consideration of its necessity in the satisfactory implementation of projects and the concerns of the stakeholders.

2. Following the review, it is considered that the Requirement shall be removed from the suggested minimum qualification requirements for staff under Partners/ Directors category. In this connection, the suggested minimum academic/professional qualifications and experience requirements for staff under Partners/ Directors category in Appendix C of the Circular shall be amended as shown in the table below:

Staff category	Minimum academic/professional qualifications	Minimum experience requirement
Partners/ Directors	Corporate member of an appropriate professional institution or equivalent	15 years relevant post-qualification experience (applicable to professional membership only)

3. Notwithstanding the above amendment, project offices may consider including the Requirement as one of the minimum qualification requirements for staff under Partners/ Directors category if needed to suit the specific requirement of the project.

4. This memo takes effect on AACSB / EACSB consultancy agreements with Expression of Interest Submissions or Technical and Fee Proposals (where appropriate) to be invited on or after 2 May 2019.

5. Secretaries of AACSB and EACSB are requested to update their respective Handbooks to suit accordingly.

6. Please bring this memo to the attention of the project officers who are responsible for managing consultancies.

7. If you have any enquiry, please contact Mr Eric FUNG, TL(WPR) at 3509 8688 or Mr Stephen LO, AS(WPR)2 at 3509 8698.

(Francis S H CHAU)
for Secretary for Development

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Central Government Offices,
2 Tim Mei Avenue, Tamar, Hong Kong

Ref. : DEVB (PS) 106/43
Group : 6

9 September 2016

Development Bureau
Technical Circular (Works) No. 2/2016

Assessment of Consultants' Proposals

Scope

This Circular sets out the key procedures for procuring consultancy agreements under the purview of the Architectural and Associated Consultants Selection Board (AACSB) and the Engineering and Associated Consultants Selection Board (EACSB).

Effective Date

2. This Circular takes effect on AACSB/EACSB consultancy agreements for which Technical and Fee Proposals are to be invited on or after **1 December 2016**.

Effect on Existing Circulars and Handbooks

3. This Circular replaces Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 6/2013.

4. It shall be read in conjunction with Environment, Transport and Works Bureau TC(W) No. 8/2003, DEVB TC(W) No. 3/2016 and the AACSB/EACSB Handbooks.

Key Procedures

5. The selection of consultants shall normally comprise the following steps:

- establishment of Assessment Panel
- long-listing
- invitation of expression of interest (EOI) and forming of short-list
- invitation of technical and fee proposals and assessment of proposals
- approval and award

(A) Assessment Panel

6. The procuring department shall establish an Assessment Panel comprising normally government officials only, from the procuring department and other departments, with a view to securing the integrity of the consultants selection exercise. It shall be chaired by an officer ranked preferably at D2, but not lower than D1.

(B) Long-listing

7. For AACSB Agreements, the list of consultants in the relevant category may normally be taken as a long-list for consultant selection. For EACSB Agreements, the Assessment Panel shall select suitable consultants from all reasonably available sources to form a long-list of usually 15 to 20 consultants.

(C) Invitation of EOI and Forming of Short-list

8. The invitation of EOI is a standard requirement but may be omitted in accordance with Financial Circular No. 4/2013.

9. Before the invitation of EOI (if to be carried out), the Assessment Panel shall determine the selection criteria for screening the long-list for the forming of a short-list. The guidelines for shortlisting are given at **Appendix A**. The selection criteria to be used shall be made known in the invitation letter for EOI. The AACSB/EACSB Handbooks will provide a sample of the invitation letter for reference.

10. In addition to the invitation of EOI from the long-listed consultants, a notice of inviting EOI shall normally be posted on the procuring department's website so that other consultants have the chance of making an application.

11. To guard against lengthy EOI submissions, the pages of EOI submissions shall normally be limited to the maximum of 6 (or 4 for less complex and technically straight-forward assignments if considered appropriate by the Assessment Panel) in A4 size.

12. The Assessment Panel shall assess all the EOIs received and recommend for approval of the AACSB/EACSB (or the relevant Departmental Consultant Selection Committee (DCSC)) a short-list of normally 4 suitable consultants based on the outcome of the assessment.

(D) Invitation of Technical and Fee Proposals and Assessment of Proposals

13. After a short-list is approved by the AACSB/EACSB (or the relevant DCSC), or where the EOI stage is not used, the procuring department will proceed to the stage of inviting technical and fee proposals and assessment of proposals. The method of assessing the consultants' submissions, including the particulars to be submitted and the Marking Scheme, shall be set out in the invitation documents. The AACSB/EACSB Handbooks will detail the procedures for the invitation of proposals which shall be submitted in two separate envelopes, i.e. a technical proposal envelope and a separate fee envelope, to the designated locations.

(a) Assessment Methodology

14. The Assessment Panel shall assess technical and fee proposals on the basis of a combined score, which shall be approved by the AACSB/EACSB (or the relevant DCSC), in terms of technical, consultancy fee and fee quality as follows:

$$\text{Combined Score} = \text{Weighted Technical Score} + \text{Weighted Consultancy Fee Score} + \text{Fee Quality Score}$$

where :

$$\begin{aligned} \text{Weighted Technical Score} &= \text{Specified weighting} \times \frac{\text{Technical score of the bid being assessed}}{\text{Highest technical score among all conforming bids}} \\ \text{Weighted Consultancy Fee Score} &= \text{Specified weighting} \times \frac{\text{Lowest consultancy fee}^1 \text{ among all conforming bids}}{\text{Consultancy fee}^1 \text{ of the bid being assessed}} \\ \text{Fee Quality}^2 \text{ Score} &= \text{Sliding Scale of Factor for Marking Fee Quality} \end{aligned}$$

¹ Please refer to paragraphs 20 to 21 for calculation of consultancy fee.

² Please refer to paragraph 25 for calculation of Fee Quality Score.

15. The following table should be taken as a reference in determining the specified weightings to be used for the Weighted Technical Score and the Weighted Consultancy Fee Score which together shall total 90%. The maximum Fee Quality Score is 10% thus making up a maximum Combined Score of 100%.

Agreement Type	Weightings for Different Complexity of Projects for Weighted Technical Score/ Weighted Consultancy Fee Score (%)		
	Straight-forward	Normal	Complex
Feasibility (FS) or Investigation (I)	63/27	72/18	72/18
Design & Construction (D&C) or Investigation, Design & Construction (IDC)	54/36	63/27	72/18

(b) Technical Proposals

16. The Assessment Panel shall prepare a Marking Scheme, which shall be approved by the AACSB/EACSB (or the relevant DCSC), for the assessment of technical proposals. The guidelines for preparing the Marking Scheme are given at **Appendix B**.

17. Since October 2013, we have promulgated a structured approach for the assessment of the attribute of “adequacy of professional and technical manpower input” which is a mandatory sub-section under the section of Staffing in the Marking Scheme. The method to be used for marking this attribute is set out at **Appendix C**.

18. The Assessment Panel shall assess all the technical proposals based on the approved Marking Scheme. The perceived strengths and weaknesses of each technical proposal discussed by the Assessment Panel should be recorded in the meeting minutes as far as possible. If the Assessment Panel considers that the rating of any section/sub-section, in particular the adequacy of professional and technical manpower input, is unacceptably low, it should further consider carefully the suitability of the consultant in undertaking the assignment. If the consultant is considered to be unsuitable, the Assessment Panel shall make a recommendation to the AACSB/EACSB (or the relevant DCSC) whether the proposal should be rejected without opening the fee envelope.

19. Only after the assessment of all the technical proposals should the Assessment Panel request the opening of the fee proposals concerned for further assessment.

(c) Fee Proposals

(i) *Consultancy Fee*

20. The consultants shall be asked to tender in the fee proposals a lump sum for completing the assignment, all-inclusive time charge rates for various staff categories for use in valuing additional Services, and if applicable, on-cost rates for various ranks of the notional resident site staff establishment.

21. For the purpose of assessment of fee proposals (i.e. Weighted Consultancy Fee Score), a “consultancy fee” shall be calculated for each fee proposal by summing (a) the lump sum fee (comprising staff costs and non-staff costs), (b) the adjusted notional value for additional Services, and (c) if applicable, the notional resident site staff on-cost charges. The AACSB/EACSB will set out the details of the calculation of (a) to (c) above.

(ii) *Specified Percentage Range Requirement*

22. It is a policy to impose a linkage between the “staff rates in lump sum fee” and the “staff rates for additional Services” so that the percentage differences between the two sets of staff rates are not unreasonable and should not exceed a specified percentage range (SPR).

23. Whilst the “staff rates for additional Services” are those rates entered by the consultants in the fee proposals, the “staff rates in lump sum fee” shall entail the consultants’ own calculation also in the fee proposals. The “staff rates for additional Services” and the “staff rates in lump sum fee” are normally expressed in the unit of man-hour and man-week respectively.

24. The detailed method of comparing the two sets of rates against the SPR is set out at **Appendix D**. For all AACSB/EACSB Agreements, an SPR of -10% to +40% shall be adopted. If the comparison reveals exceedance of the SPR for any group of staff rates as explained at **Appendix D**, the consultant’s submission shall not be considered further. This is an important requirement resulting in rejection of

the consultant's submission if the SPR is not met. The procuring department should include a clear advice in the letter for inviting technical and fee proposals to draw the attention of consultants.

(iii) Fee Quality Score

25. The Fee Quality Score is an essential component of the Combined Score with the objective of suppressing exceptionally low charge rates. The Fee Quality Score, on a sliding scale of 0 to 10 as shown in the table below, shall be determined based on the calculated Factor for Marking Fee Quality as defined in the following formula.

Factor for Marking Fee Quality =

$$\frac{\text{Lump sum fee of the bid}}{\text{Median of lump sum fees of all conforming bids}^+ \text{ (including the pre-tender estimate)}} \times \frac{1}{M_x}$$

whereas M_x is

$$\frac{\text{Weighted total manpower input of the bid}}{\text{Median weighted total manpower input of all conforming bids}^+ \text{ (including the pre-tender estimate)}}$$

+ For the purpose of determining the medians, those bids not proceeded for fee opening or those with any staff rate exceeding the SPR (i.e. non-conforming bids) shall not be considered.

The Fee Quality Score shall then be determined as follows:

Factor for Marking Fee Quality	Fee Quality Score
≤ 0.5	0
> 0.5 and < 0.8	On sliding scale between 0 and 10
≥ 0.8	10

A worked example for ascertaining the Fee Quality Score is given at **Appendix E**.

(iv) Further Evaluation of Reasonableness of Recommended Bid

26. A further evaluation of reasonableness of manpower input, lump sum fee, total fee, staff rates, on-cost rates and non-staff charges of the recommended bid in comparison with the pre-tender estimate (PTE), other bids, other recently awarded consultancies and appropriate information shall be conducted. If the recommended

bid is suspected to be unreasonably low, the procuring department should make enquiry to the bidder concerned, seeking justifications with positive proof for the unreasonably low bid, so as to find out whether the bidder is capable of fulfilling the terms of the consultancy before making recommendation.

(E) Approval and Award

27. Following the assessment of technical and fee proposals, a submission shall be made to the AACSB/EACSB (or the relevant DCSC) with a recommendation for approval for the award of the consultancy agreement. Unless there are other considerations which shall be justified by the Assessment Panel, the bid with the highest Combined Score should normally be recommended for acceptance.

AACSB/EASCB Handbook

28. The AACSB/EACSB Handbooks will be updated to incorporate the contents of this Circular.

Enquires

29. Enquiries on this Circular should be addressed to the Chief Assistant Secretary (Works)7.

(C K HON)
Permanent Secretary for Development (Works)

Guidelines for Shortlisting

The selection criteria for screening the long-list into a short-list shall be prepared. The following is a guide for drawing up the criteria:-

Selection Criterion	Percentage mark to be allocated	
	All consultancies other than AACSB non-design-focused disciplines (i.e. quantity surveying)	AACSB non-design-focused disciplines (i.e. quantity surveying)
1. Appreciation of the key requirements and constraints/risks (Note 2)	5-10%	5-10%
2. Approach and strategy to meet the requirements of the assignment (department may include sub-criteria where appropriate, to cover the consultants' approach and strategy on innovation, creativity, mechanisation, prefabrication, other productivity enhancements, cost reduction, expenditure leveling, etc.) (Note 3)	20-40%	10-25%
3. Previous relevant experience both in Hong Kong and elsewhere	5-10%	5-10%
4. Knowledge, experience and capability of key staff	35-45%	35-45%
5. Past performance of the consultant (Note 4)	10-20%	10-20%
6. Past performance of sub-consultants (Note 4)	0-10%	0-10%

Notes:

- 1) For each selection criterion for shortlisting, each Assessment Panel Member should grade the particular aspect as either "very good", "good", "fair" or "poor". The

marks corresponding to these grades are:

Grade	Marks (%)
Very Good (VG)	$1.0 \times Y$
Good (G)	$0.8 \times Y$
Fair (F)	$0.6 \times Y$
Poor (P)	$0.3 \times Y$

where Y is the percentage mark allocated to the criterion.

- 2) Criterion (1) shall be assessed based on the consultants' appreciation of key requirements and constraints/risks additional to those set out in the Brief. If no additional appreciation is included, a "fair" grading at most should be given.
- 3) The consultants' detailed proposals for Criterion (2) are not expected and shall not be assessed in the shortlisting stage but the consultants are encouraged to indicate their broad approach and strategy, particularly on innovative ideas, productivity enhancements, cost savings which may demonstrate their edge in undertaking the assignment.
- 4) The following method shall be used in the assessment of past performance of the consultant and sub-consultants:
 - (a) Assessment of past performance of a consultant and his sub-consultants (if applicable) should be carried out separately, based on their updated Past Performance Rating (PPR) in the Consultants' Performance Information System (CNPIS). Details of PPR shall be referred to DEVB TC(W) No. 3/2016. For any unincorporated joint venture making a submission, his PPR shall be taken as the average of PPRs of all his participants having a PPR (or the weighted average of PPRs of all his participants having a PPR if approved by EACSB/AACSB/relevant DCSC). The latest PPR issued by DEVB on or before the due date for submission of the expression of interest shall be used for the marking of the past performance of the consultant and sub-consultants in the shortlisting stage.
 - (b) Those consultants proposing no sub-consultant should be assessed under the criterion "past performance of sub-consultants" as if they were sub-consultants to themselves.
 - (c) Where a consultant proposes more than one sub-consultant, the PPR shall be taken as the average of PPRs of those sub-consultants who have a PPR.
 - (d) Where none of the proposed sub-consultants of a consultant has a PPR, the consultant should be assessed under the criterion "past performance of sub-consultants" as if he was a sub-consultant to himself.
 - (e) Where a proposed sub-consultant is suspended from bidding under a category relevant to his work under the consultancy concerned, the weighted mark for such sub-consultant shall be zero.

- (f) The following formula shall be used to calculate the mark for “past performance of the consultant” (same for sub-consultants):

$$\text{Mark assigned to consultant "i"} = \text{Mark allocated for the criterion of past performance} \times \frac{R_i}{R_{\text{highest}}}$$

where: (i) R_i is the current PPR of consultant "i".

(ii) R_{highest} is the highest current PPR among all of the consultants involved in the exercise.

(iii) In case there is only one consultant in the exercise having a PPR, his mark in the criterion of past performance shall be calculated by:

$$\text{Mark allocated for the criterion of past performance} \times \frac{\text{PPR of the consultant}}{100}$$

and the calculated mark shall then be taken as a “cap” for all the other consultants' marks calculated using the method in the Note 4(g) below.

- (g) For a consultant having less than 4 performance scores under the relevant consultants selection board concerned in the past three years, his PPR shall not be considered. The “past performance of the consultant” sub-section shall then be marked based on the consultant’s weighted average percentage mark (not the grade) in the remaining sections excluding the “past performance of sub-consultants” sub-section if any, subject to the cap derived in Note 4(f)(iii) above for the case with only one consultant having a PPR if applicable.
- (h) A consultant who is under suspension from bidding shall not be shortlisted for submission of technical and fee proposals for further consultancy assignments until the suspension is lifted. Bids already submitted by the consultant in response to invitations before the suspension is imposed should continue to be assessed subject to further consideration as given in Note 4(i) below.
- (i) For a consultant who is suspended from bidding after he has submitted expression of interest or a consultant, although not suspended from bidding but serious default or non-performance of him (such as those mentioned in paragraph 22 of Annex I of DEVB TC(W) No. 3/2016) has been made known to the Assessment Panel, the Assessment Panel shall carefully consider whether the proposal of such consultant should be further processed. If the Assessment Panel decides not to further process the proposal of such consultant, the Assessment Panel should seek endorsement from the AACSB/EACSB (or the relevant DCSC) on such decision before continuing with the consultant selection exercise.

Guidelines for Preparation of Marking Scheme

(A) Requirements of Technical Proposals

The invitation documents shall clearly spell out the requirements of technical proposals. The structure of which should preferably follow the Marking Scheme for easy assessment. Based on past experience, the technical proposals should normally be limited to 30 pages (or less for less complex and technically straight-forward assignments if considered appropriate by the Assessment Panel) in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae. The appendices attached to the technical proposals (e.g. 30 pages, or less for less complex and technically straight-forward assignments in A4 size if considered appropriate by the Assessment Panel, except manning schedule in A3 size), the figures/drawings/illustrations (e.g. 30 pages, or less for less complex and technically straight-forward assignments in A3 size if considered appropriate by the Assessment Panel) and the curriculum vitae (e.g. 2 pages per staff in A4 size) should also be limited to a specified reasonable number of pages.

The AACSB/EACSB Handbooks should provide sample guidelines for consultants to prepare the technical proposals which shall be modified to suit the assignments. The guidelines should be issued with the invitation documents to all the bidders.

The technical proposals shall normally be divided into sections and sub-sections under main headings as shown below for reference.

1. CONSULTANT'S EXPERIENCE

Relevant experience and knowledge

2. RESPONSE TO THE BRIEF

To include sub-sections on –

- (a) understanding of objectives;
- (b) identification of key issues;
- (c) appreciation of project constraints/risks and special requirements; and
- (d) presentation of design approach and ideas (in regard to aspects such as general arrangement, layout, functionality, green measures, heritage conservation, aesthetics and overall appearance where appropriate).

3. APPROACH TO COST-EFFECTIVENESS AND SUSTAINABILITY

To include sub-sections on –

- (a) examples and discussion of past projects to demonstrate the consultant's will, ability and physical measures to produce cost-effective, energy efficient and environmentally friendly solutions which are applicable to the project; and
- (b) approach to achieve cost-effectiveness (including life-cycle costs vis-à-vis initial project cost), energy efficiency and environmental friendliness on this project.

4. METHODOLOGY AND WORK PROGRAMME

To include sub-sections on –

- (a) technical approach to enable delivery of the project practicably having regard to the reasonable time required and other technical constraints vis-à-vis the project requirements (including construction methods to facilitate mechanization, prefabrication and other productivity enhancements where appropriate, especially where they can reduce manpower demands of trades of labour shortage);
- (b) health, safety and environmental issues to be addressed in delivering the project;
- (c) work programme with highlights to demonstrate ways to expedite the programme where practicable, to deal with programme constraints and interfaces, and to level and reduce the resources peak; and
- (d) arrangements for contract management and site supervision including a proposed system of monitoring site supervision.

5. INNOVATION AND CREATIVITY

To include sub-sections on –

- (a) particular design aspects/issues/requirements (as identified and specified by the department); and
- (b) particular construction aspects/issues/requirements (as identified and specified by the department).

6. STAFFING

To include sub-sections on –

- (a) staff organisation chart with highlights on the efficiency and effectiveness of the organisation;
- (b) relevant experience (including design constructability and risk management where applicable) and qualifications of key staff;
- (c) responsibilities and degree of involvement of key staff; and
- (d) adequacy of professional and technical manpower input.

7. APPENDICES

- (a) Relevant projects completed in the past 5 years;
- (b) Current projects, listing total and outstanding cost and duration and staff expertise and deployment;
- (c) Manning schedule (without any indication of cost); and
- (d) Brief curriculum vitae of key staff;

(B) Preparation of Marking Scheme

Reference shall be made to the following guidelines when preparing a Marking Scheme for the technical proposals:

- (1) The marks to be allocated to each main section of the technical proposals shall be within the range indicated below and shall total 100%:

Section (Each Section to be expanded into Sub-sections with a percentage mark to be allocated to each Sub-section which should be made known to the bidders)	Percentage mark to be allocated (%) [Percentage mark (%) in square brackets is to be adopted if EOI is not used]		
	EACSB	AACSB	
		Design-focused disciplines	Non-design-focused disciplines (i.e. quantity surveying)
1. Consultant's Experience	0 – 5 * [5 – 10 *]	0 – 5 [5 – 10]	0 – 5 [5 – 10]

Section (Each Section to be expanded into Sub-sections with a percentage mark to be allocated to each Sub-section which should be made known to the bidders)	Percentage mark to be allocated (%) [Percentage mark (%) in square brackets is to be adopted if EOI is not used]		
	EACSB	AACSB	
		Design-focused disciplines	Non-design-focused disciplines (i.e. quantity surveying)
2. Response to the Brief	5 – 15	5 – 15	5 – 15
3. Approach to Cost-effectiveness and Sustainability	10 – 25	10 – 25	5 – 20
4. Methodology and Work Programme	20 – 30	20 – 30	5 – 10
5. Innovation and Creativity	5 – 15	5 – 15	NA
6. Staffing	25 – 35	25 – 35	35 – 50
7. Past Performance	10 – 25	10 – 25	10 – 30
Past Performance of the consultant	10 – 20	10 – 20	10 – 20
Past Performance of sub-consultants	0 – 10	0 – 10	0 – 10

* For major tunnel/cavern projects with difficult geological and ground conditions, or major projects with high risks of scope changes and project complexities, the top mark of “10” or “5”, whichever is appropriate, could be adopted so as to assign a greater weight for consultants' experience and knowledge on geotechnical conditions and risk management.

- (2) Each Assessment Panel Member shall grade each section/sub-section, except the “past performance” section/sub-sections and the “adequacy of professional and technical manpower input” sub-section of the “Staffing” section, as either “very good”, “good”, “fair” or “poor”. The marks corresponding to these grades are:

Grade	Marks (%)
Very Good (VG)	1.0 × Y
Good (G)	0.8 × Y
Fair (F)	0.6 × Y
Poor (P)	0.3 × Y

where Y is the percentage mark allocated to the criterion.

If the Brief or other relevant requirements are just fulfilled, a “fair” grading at most should normally be given.

Where different weightings are assigned to the marks of Assessment Panel Members due to different relative weights of their respective disciplines or any other considerations, those weightings shall be pre-determined and included in the proposed Marking Scheme for approval of the AACSB/EACSB (or the relevant DCSC).

The weighted marks of Assessment Panel Members shall then be accumulated to produce the final marks for each sub-section. Summation of all sub-section final marks will produce a total mark for the technical proposal. Normally, no passing mark shall need to be set for each section/sub-section or the whole of the technical proposal.

- (3) The method of assessing the “adequacy of professional and technical manpower input” sub-section of the “Staffing” section is set out in **Appendix C**. This sub-section should carry:
 - (a) 7–12% of the overall marks for EACSB consultancies or AACSB consultancies in design-focused disciplines;
 - (b) 10–15% of the overall marks for AACSB consultancies in non-design-focused disciplines.
- (4) The following method shall be used in the assessment of past performance of the consultant and sub-consultants:
 - (a) Assessment of past performance of a consultant and his sub-consultants (if applicable) should be carried out separately, based on their updated Past Performance Rating (PPR) in the CNPIS. Details of PPR shall be referred to DEVB TC(W) No. 3/2016. For any unincorporated joint venture making a submission, his PPR shall be taken as the average of PPRs of all his participants having a PPR (or the weighted average of PPRs of all his participants having a PPR if approved by EACSB/AACSB/relevant DCSC). The latest PPR issued by DEVB on or before the due date for submission of the technical and fee proposals shall be used for the marking of the past performance of the consultant and sub-consultants in the nomination stage.
 - (b) Those consultants proposing no sub-consultant should be assessed under the criterion “past performance of sub-consultants” as if they were sub-consultants to themselves.
 - (c) Where a consultant proposes more than one sub-consultant, the PPR shall be taken as the average of PPRs of those sub-consultants who have a PPR.

- (d) Where none of the proposed sub-consultants of a consultant has a PPR, the consultant should be assessed under the criterion “past performance of sub-consultants” as if he was a sub-consultant to himself.
- (e) Where a proposed sub-consultant is suspended from bidding under a category relevant to his work under the consultancy concerned, the weighted mark for such sub-consultant shall be zero.
- (f) The following formula shall be used to calculate the mark for “past performance of the consultant” (same for sub-consultants):

$$\text{Mark assigned to consultant "i"} = \text{Mark allocated for the criterion of past performance} \times \frac{R_i}{R_{\text{highest}}}$$

where: (i) R_i is the current PPR of consultant "i".

- (ii) R_{highest} is the highest current PPR among all of the consultants involved in the exercise.
- (iii) In case there is only one consultant in the exercise having a PPR, his mark in the criterion of past performance shall be calculated by:

$$\text{Mark allocated for the criterion of past performance} \times \frac{\text{PPR of the consultant}}{100}$$

and the calculated mark shall then be taken as a “cap” for all the other consultants' marks calculated using the method in the item (B)(4)(g) below.

- (g) For a consultant having less than 4 performance scores under the relevant consultants selection board concerned in the past three years, his PPR shall not be considered. The “past performance of the consultant” sub-section shall then be marked based on the consultant’s weighted average percentage mark (not the grade) in the remaining sections excluding the “past performance of sub-consultants” sub-section if any, subject to the cap derived in item (B)(4)(f)(iii) above for the case with only one consultant having a PPR if applicable.
- (h) A consultant who is under suspension from bidding shall not be shortlisted for submission of technical and fee proposals for further consultancy assignments until the suspension is lifted. Bids already submitted by the consultant in response to invitations before the suspension is imposed should continue to be assessed subject to further consideration as given in item (B)(4)(i) below.

- (i) For a consultant who is suspended from bidding after he has submitted technical and fee proposals or a consultant, although not suspended from bidding but serious default or non-performance of him (such as those mentioned in paragraph 22 of Annex I of DEVB TC(W) No. 3/2016) has been made known to the Assessment Panel, the Assessment Panel shall carefully consider whether the proposals of such consultant should be further processed. If the Assessment Panel decides not to further process the bid of such consultant, the Assessment Panel should seek endorsement from the AACSB/EACSB (or the relevant DCSC) on such decision before continuing with the consultant selection exercise.
- (5) The Marking Scheme shall spell out the deduction of marks for exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae and non-compliance with the specified format, such as font size, margin, paper size, etc. Normally, 1 mark per page shall be deducted for exceedance of the page limits and 1 mark for non-compliance with the format.

Assessment of Adequacy of Professional and Technical Manpower Input

The technical proposal will normally contain a “Staffing” section which covers the attributes of staff organisation, relevant experience and qualifications of key staff, responsibilities and degree of involvement of key staff, and adequacy of professional and technical manpower input.

Since October 2013, we have introduced a structured approach for the assessment of the “adequacy of professional and technical manpower input” attribute by comparing the weighted average manpower input of each consultant with the medians’ weighted average manpower input of all the bidders including the PTE of the procuring department.

Categories of Staff

In connection with the use of the structured approach for assessment, we have promulgated a set of standardized staff categories. The minimum academic/professional qualifications and experience requirements corresponding to each staff category are updated in the table below for the reference of the procuring department and appropriate incorporation, with modifications deemed necessary, into the invitation documents for technical and fee proposals as a means of defining these staff categories. Normally, this information will be included in the Schedule of Fees.

Staff category	Minimum academic / professional qualifications	Minimum experience requirement
Partners/ Directors	Corporate member of an appropriate professional institution or equivalent; and A partner, or a company director who is a member of the Board with voting power at Board meetings	15 years relevant post-qualification experience (applicable to professional membership only)

Chief Professional	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post-qualification experience
Senior Professional	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	10 years relevant post-qualification experience
Professional	Corporate member of an appropriate professional institution or equivalent	No additional requirement
	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	5 years relevant post-qualification experience
Assistant Professional	University degree or equivalent in an appropriate discipline	No additional requirement
Technical	Diploma or Higher Certificate or equivalent in an appropriate discipline	No additional requirement

Assessment Method

As part of the technical proposal, consultants shall be required to submit their manpower input under each of the above-mentioned six staff categories, viz. partners/directors (P/D), chief professional (CP), senior professional (SP), professional

(P), assistant professional (AP) and technical (T) staff.

Pursuant to the assessment methodology, it is assumed that the relative significance of the staff categories toward satisfactory performance of the assignment is in the ratio of 6:3:1 (which may be substituted by another suitable ratio as may be determined by the Assessment Panel) with respect to the categories of three staff groups (viz. “P/D and CP”, “SP and P”, and “AP and T”). The Assessment Panel shall take the following steps in determining the mark to be given for each technical proposal:

1. Prior to the invitation of technical and fee proposals, the procuring department shall prepare a PTE of the manpower input for each staff category. Based on the PTE, the Assessment Panel shall calculate the weighted total manpower input of PTE using the ratio of 6:3:1 or another appropriate ratio as determined by the Assessment Panel, usually in the unit of man-weeks. If non-staff charges are expected to be included in the lump sum fee, the procuring department should itemize them in the fee proposal proforma and exclude them from the manpower input estimation. The procuring department should clarify with the bidders for any anticipated non-staff charges in the pre-submission meeting as far as possible.
2. Similarly, for each technical proposal (non-conforming bid(s) excluded), the Assessment Panel shall calculate its weighted total manpower input using the ratio of 6:3:1 or another appropriate ratio as determined by the Assessment Panel.
3. The Assessment Panel shall then determine the median weighted total manpower input which is equal to the median¹ of the weighted total manpower inputs of all conforming bids and the PTE based on the results of steps 1 and 2.
4. The marking of the “adequacy of professional and technical manpower input” attribute for each technical proposal shall be determined as follows:

Weighted total manpower input of the proposal as compared to the median weighted total manpower input (M_x)	Proportion of full mark to be given
≥ 1.0	1.0
> 0.6 and < 1.0	On sliding scale between 0.6 and 1.0
≤ 0.6	0.3

There may be situations where the consultant’s proposed staff claimed to be in a particular staff category do not meet the minimum academic/professional qualifications and/or minimum experience requirements. If found, the procuring department should state the identified discrepancy and seek clarifications from the

¹ In statistical terms, the median is the value dividing the data into two groups, one above the value and the other below. It is therefore taken as the middle value for odd number of data, or the average of the middle two values for even number of data for all relevant assessments in this Circular.

consultant of factual information in writing but should normally not allow the staff and/or the staff category to be changed to avoid the consultant having the opportunity to improve his submission unless LAD(W)'s advice has been sought for special circumstances. When informing the consultant of the identified discrepancy, the procuring department should include the following:

“In your reply, you are only allowed to provide factual information about the staff and their qualifications and experience and are not allowed to change the proposed staff or change the staff from one staff category to another staff category.

For the avoidance of doubt, in the performance of the assignment, if awarded to you, you are bound to provide the manpower input of the staff in the relevant staff categories as included in your proposal except that if there are any proposed staff not meeting the requirements of minimum academic/professional qualifications and/or minimum experience, you are deemed to agree to replace those staff at your cost with other staff not lower than the qualifications and experience of the proposed staff and meeting the requirements of the minimum qualifications and experience. The replacement shall be subject to the approval procedures as if there is a change of core personnel under the assignment.”

Where the information, together with clarifications from the consultant (if any), reveals non-compliance with the minimum academic/professional qualifications and/or minimum experience for one or more than one staff member, the mark to be given for the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the following as a guide:

Degree of non-compliance in the opinion of the Assessment Panel	Mark shall be multiplied by (exact multiplier to be decided by the Panel)
Minor	0.95 to 0.9
Medium	0.9 to 0.8
Serious	Below 0.8

The adjustment shall not prevent the Assessment Panel from taking into account the discrepancy information in marking other aspects of the technical proposal.

The manpower input of a consultant is normally, prima facie, unacceptably low if the proportion of full mark given for the “adequacy of professional and technical manpower input” attribute is less than 0.6.

Checking of Compliance with Specified Percentage Range

1. Checking shall be conducted for the following three staff groups

- Partners/Directors and Chief Professional P/D and CP
- Senior Professional and Professional SP and P
- Assistant Professional and Technical AP and T

2. “Staff rate in lump sum fee” for a staff group shall be calculated as:

$$\frac{\text{Total fee of the staff group}}{\text{Total manpower input of the staff group}}$$

For example, the staff rate in lump sum fee for the staff group “P/D and CP” shall be calculated as:

$$\frac{\text{Total fee}_{P/D} + \text{Total fee}_{CP}}{\text{Total manpower input}_{P/D} + \text{Total manpower input}_{CP}}$$

3. “Staff rate for additional Services (AS)” of a staff group shall be calculated as:

$$\frac{\sum(\text{Staff rate for AS} \times \text{corresponding notional man-hour}) \text{ of the staff group}}{\sum(\text{Notional man-hour}) \text{ of the staff group}}$$

For example, the staff rate for AS for the staff group “P/D and CP” shall be calculated as:

$$\frac{\text{Rate for AS}_{P/D} \times \text{Notional man-hour}_{P/D} + \text{Rate for AS}_{CP} \times \text{Notional man-hour}_{CP}}{\text{Notional man-hour}_{P/D} + \text{Notional man-hour}_{CP}}$$

4. A “% Difference” shall be calculated for each staff group according to the following formula:

$$\% \text{ Difference} = \frac{\text{Staff rate for AS} - \text{Staff rate in lump sum fee}}{\text{Staff rate for AS}}$$

Any bid with “% Difference” for any staff group exceeding the Specified Percentage Range (SPR) of -10% to 40% shall **not** be further considered. If the total fee and total manpower input of a particular staff group are both zero, the requirement of SPR is not applicable to this staff group. However, the procuring department should further evaluate the reasonableness of the concerned manpower input and staff rates of this staff group in accordance with paragraph 26 of this Circular.

Note: If conversion from man-week to man-hour is required, a conversion factor of 40 hours/week is normally adopted.

A Worked Example for Ascertaining Fee Quality Score

Technical and fee proposals have been received from four bidders W, X, Y and Z with details as follows –

Table 1:

Bidder	Consultancy Fees (\$ million)				
	Lump Sum Fee [A] = [B] + [C]		Adjusted Notional Values for Additional Services [D]	Notional Resident Site Staff On-cost Charges [E]	Total Fee [F] = [A] + [D] + [E]
	Staff Costs [B]	Non-staff Costs [C]			
W	20.57	0	2.53	5.23	28.33
X	30.15	0	3.06	7.23	40.44
Y	16.37	0	1.90	4.80	23.07
Z	31.11	0	2.94	6.53	40.58

The steps for determining the Fee Quality Score for each bidder are as follows:

- **Step 1** : Calculate the weighted total manpower input of the technical proposal for each bidder using the ratio for three staff groups (viz. “P/D and CP”, “SP and P”, and “AP and T”) as determined by the Assessment Panel (a ratio of 6:3:1 assumed in this worked example) by means of the assessment method at **Appendix C** of this Circular, and insert in Table 2 below.
- **Step 2** : Calculate M_x for each bidder, being the weighted total manpower input of the concerned tenderer divided by the median weighted total manpower input which is equal to the median of the weight total manpower inputs of all conforming bids (including the PTE) using the formula:

$$\frac{\text{weighted total manpower input of the bidder}}{\text{median weighted total manpower input of all conforming bids (including the PTE)}}$$

- **Step 3** : Insert lump sum fee for each bidder into Table 2 below.
- **Step 4** : Calculate the ratio of the lump sum fee to the median of lump sum fees of

all conforming bids (including the PTE), for each bidder.

- **Step 5** : Calculate a Factor for Marking Fee Quality Score as:

$$\frac{\text{lump sum fee of the bidder}}{\text{median of lump sum fees of all conforming bids (including the PTE)}} \times \frac{1}{M_x}$$

- **Step 6** : Determine the Fee Quality Score as follows:

Factor for Marking Fee Quality	Fee Quality Score
≤ 0.5	0
> 0.5 and < 0.8	On sliding scale between 0 and 10
≥ 0.8	10

The calculated figures for the above steps for each bidder are tabulated in Table 2 below.

Table 2:

Bidder	Weighted Total Manpower Input (Man-weeks) [G]	M_x [H]= [G] / Median of [G]	Lump Sum Fee (\$million) [I]	Ratio of Lump Sum Fee to Median of Lump Sum Fees [J]=[I] / Median of [I]	Factor for Marking Fee Quality [K]=[J]/[H]	Fee Quality Score
W	640.7	0.8712	20.57	0.6823	0.7831	9.44
X	674.0	0.9165	30.15	1.0000	1.0911	10.00
Y	735.4	1.0000	16.37	0.5430	0.5430	1.43
Z	824.6	1.1213	31.11	1.0318	0.9202	10.00
PTE	826.0	-	30.60	-	-	-
Median	735.4	-	30.15	-	-	-

The lump sum fee of a consultant is normally, prima facie, unreasonably low if both ratios of his lump sum fee / lump sum fee of the PTE and his lump sum fee / median of lump sum fees of all conforming bids (including the PTE) are less than 0.6.