

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

政府總部  
發展局  
工務科



Works Branch  
Development Bureau  
Government Secretariat

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**Development Bureau**  
**Technical Circular (Works) No. 5/2016**

**Practice Notes for New Engineering Contract (NEC)**  
**- Engineering and Construction Contract (ECC)**  
**for Public Works Projects in Hong Kong**

**Scope**

This Circular promulgates the Practice Notes for New Engineering Contract (NEC) – Engineering and Construction Contract (ECC) for public works projects in Hong Kong (the “Practice Notes”).

**Effective Date**

2. This Circular takes effect on all tenders for capital works contracts adopting the NEC ECC form which exceed the Quotation Limit set out in section 220 of the Stores and Procurement Regulations (SPR 220), to be invited on or after **1 December 2016** (the “NEC ECC contracts”).

## **Effect on Existing Circulars and Circular Memoranda**

3. This Circular takes into account the relevant General Conditions of Tender, Special Conditions of Tender, Notes to Tenderers and Special Conditions of Contract for the General Conditions of Contract (GCC) form promulgated under various technical circulars and circular memoranda issued by this Bureau and updates them to suit the NEC ECC form. The tender and contract provisions promulgated under the Practice Notes replace those provisions appearing in these publications to the extent that the latter are relevant to the NEC ECC contracts.

## **Practice Notes for NEC - ECC**

4. The Practice Notes have incorporated, among other things, the following aspects:

- supplementary procedures for procurement, administration and management of the NEC ECC contracts;
- library of standard amendments to NEC ECC standard documents;
- library of standard *additional conditions of contract*;
- library of standard General Conditions of Tender with correction rules for tender errors;
- library of standard Special Conditions of Tender;
- library of standard Notes to Tenderers; and
- specimens of other tender and contract provisions, including Contract Data Part one and Part two, Grand Summary of the *activity schedule / bill of quantities*, General Particulars and Preambles to Specifications for the Works Information, Preambles to the *activity schedule*, General Preambles to the *bill of quantities*, Form of Tender and Articles of Agreement.

5. The Practice Notes are posted on the DEVB's website under the heading "Standard Contract Documents" in the "Publications" section. The Practice Notes are living documents which will be updated from time to time when new technical circulars are promulgated or the existing works policies are fine-tuned which may affect the contents of the Practice Notes.

6. Unless otherwise specified in the Practice Notes, prior approval of DEVB shall be obtained for any deviation from the Practice Notes to suit the specific needs of individual contracts.

### **Enquiries**

7. Enquiries on this Circular should be addressed to Chief Assistant Secretary (Works)<sup>7</sup>.

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**Permanent Secretary for Development (Works)**