THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION

[INSERT PROCURING DEPARTMENT]

CONTRACT NO. [INSERT CONTRACT NO.]

[INSERT CONTRACT TITLE]

CONTRACT DATA PART TWO

CONTRACT DATA

[Note to project office: This template is provided for reference only. In preparing the Contract Data, project office should review its suitability and make necessary amendments. The drafting of Contract Data Part Two is different for Formula and Marking Scheme Approaches. Project office should pay attention to the rationale behind and make necessary amendments.]

Part two - Data provided by the Contractor

[Note to project office: This heading is for tender evaluation adopting Formula Approach]

Part two (Section 1) - Data provided by the Contractor

[Note

[Note

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tion of the data in fu	ll is essential to c	reate a complete contra	ict.						
General statements	• The <i>Contractor</i> is								
	Name								
	Address								
	the technical its tender, in ACC Clause	l resources and technic compliance with the re	al proposals submit equirements of the S	th key person are shown the down the Contractor we scope and the provisions persons to do their join					
	Name of key person	Experience	Job	Responsibilities					
	[Optional Claus	re for Marking Scheme	e Approach]						
	for acceptan Contract Da described in	ace within [2 weeks] [ate. The qualifications	subject to review by and experience red	ns as stipulated in the Sco y the project office] of quirements of the jobs ey persons to do their jo					
	Name of key person	Experience	Job	Responsibilities					
	[Optional Claus	re for Formula Approa	uch]						

Subcontractor(s) proposed under the prebid arrangement [Applicable only if prebidding is adopted]

The *Contractor* proposes the following Subcontractor(s)/supplier(s) under the prebid arrangement:

Mandatory Pre-bidding

[In case there is more than one work/item under mandatory pre-bidding, the project office adds more bullet points as appropriate.]

• [insert the work/item by the project office]:

The *Contractor* proposes the above item to be undertaken by [itself / [Subcontractor/supplier]*] under the Mandatory Pre-bid Arrangement:

[Note to tenderer:

1. Please delete "[Subcontractor/supplier]" and leaves the spaces below in blank if the tenderer proposes to undertake the item by itself. Otherwise, please delete "itself" and insert details of the Subcontractor/supplier below. In cases where name of proposed Subcontractor/supplier is given below, the tenderer is deemed to have proposed the above item to be undertaken by such Subcontractor/supplier. In cases where (i) the tenderer fails to indicate that it is prepared to undertake the item(s) by itself and fails to insert name of the proposed Subcontractor/supplier below or (ii) the name of the tenderer or, if the tenderer is a joint venture, the name of the participant/shareholder of the joint venture is given below, the tenderer is deemed to have proposed to undertake the above item by itself.

[insert Notes 2 and 3 below by the project office for design work for alternative design]

- 2. The Mandatory Pre-bid Arrangement for the above item shall only apply if the tenderer elects to submit a tender incorporating alternative design in accordance with Special Conditions of Tender Clause SCT 2.
- 3. If the tenderer does not submit any tender incorporating alternative design, any details of proposed Subcontractor submitted by the tenderer under the Mandatory Pre-bid Arrangement shall be disregarded.]

Name of proposed	
[Subcontractor/supplier]*:	
Address of the Registered	
Office of the proposed	
[Subcontractor/supplier]*:	
Person authorized to sign	
_	
the subcontract for and on	
behalf of the proposed	
[Subcontractor/supplier]*:	

Optional Pre-bidding

[In case there is more than one work/item under optional pre-bidding, the project office adds more bullet points as appropriate.]

• [insert the work/item by the project office]:

The *Contractor* proposes the above item to be undertaken by [Subcontractor/supplier]* under the Optional Pre-bid Arrangement:

[**Note to tenderer:** The tenderer inserts details of the Subcontractor/supplier below if the tenderer proposes the above item to be undertaken by the Subcontractor/supplier under the Optional Pre-bid Arrangement. Otherwise, the tenderer leaves the spaces below blank.]

	Name of proposed	
	[Subcontractor/supplier]*:	
		
	Address of the Registered	
	Office of the proposed	
	[Subcontractor/supplier]*:	
	Danson outhonized to sign	
	Person authorized to sign the subcontract for and on	
	behalf of the proposed	
	[Subcontractor/supplier]*:	
	[Subcontractor/supplier].	
Name		
Signature		
×-g		
in the capacity of		
duly authorized to sign		
tenders for and on		
behalf of		
, , , , , , , , , , , , , , , , , , ,		
_		
Date		
NI		
Name of Witness		
Cianatura of Witness		
Signature of Witness		
Occupation		
-		
Address of Witness		

[The above section on Contractor's and witness's information and signatures is applicable for tender evaluation adopting Marking Scheme Approach. For tender evaluation adopting Formula Approach, this section is to be provided at the end of the whole Contract Data Part two.]

Part two (Section 2) - Data provided by the Contractor

[Note to tenderer: To be included in the envelope for "Tender Price Documents"]

[Note to project office: This heading is for tender evaluation adopting Marking Scheme Approach]

jee perceniage,
activity schedule,
pricing information
and Prices
[Applicable to Options
A and C
Delete "pricing
information" if pre-bid
arrangement is NOT
adopted]]

- The fee percentage is _____%.
- The minimum fee percentage is 5%.
- The cap of fee percentage is [insert %] [subject to review by project office].
- The *activity schedule* is the document entitled "ACTIVITY SCHEDULE" submitted by the *Contractor* in its tender with any error(s) found and corrected in accordance with the correction rules for tender errors as set out in Clause GCT 11 of the General Conditions of Tender.
- The pricing information for item(s) stipulated as subject to pre-bid arrangement in Appendix [S] to the additional conditions of contract is the document entitled "Pricing Information for Optional Pre-bid Arrangement" or "Pricing Information for Mandatory Pre-bid Arrangement" whichever is applicable submitted by the Contractor in its tender in accordance with Clause SCT [18] of the Special Conditions of Tender with any error(s) found and corrected in accordance with the correction rules for tender errors as set out in Clause GCT [11] of the General Conditions of Tender. [Delete "pricing information" if pre-bid arrangement is NOT adopted. Project office shall replace "Pricing Information for Optional Pre-bid Arrangement" or "Pricing Information for Mandatory Pre-bid Arrangement" or "Pricing Information for Mandatory Pre-bid Arrangement" if either optional or mandatory pre-bid arrangement is adopted.]

•	The tendered total of the Prices is HK dollars

bill of quantities,
pricing information
and Prices
[Applicable to Options
B and D
Delete "pricing
information" if pre-bid
arrangement is NOT

fee percentage,

adopted

- The fee percentage is _____%.
- The minimum fee percentage is 5%.
- The cap of fee percentage is [insert %] [subject to review by project office].
- The *bill of quantities* is the document entitled "BILL OF QUANTITIES" submitted by the *Contractor* in its tender with any error(s) found and corrected in accordance with the correction rules for tender errors as set out in Clause GCT 11 of the General Conditions of Tender.
- The pricing information for item(s) stipulated as subject to pre-bid arrangement in Appendix [S] to the additional conditions of contract is the document entitled "Pricing Information for Optional Pre-bid Arrangement" or "Pricing Information for Mandatory Pre-bid Arrangement" whichever is applicable submitted by the Contractor in its tender in accordance with Clause SCT [18] of the Special Conditions of Tender with any error(s) found and corrected in accordance with the correction rules for tender errors as set out in Clause GCT [11] of the General Conditions of Tender. [Delete "pricing information" if pre-bid arrangement is NOT adopted. Project office shall replace "Pricing Information for Optional Pre-bid Arrangement" or "Pricing Information for Mandatory Pre-bid Arrangement" whichever is applicable with "Pricing Information for Optional

Pre-bid	Arrangement"	or "Pr	icing Info	rmation fo	r Mandatory	Pre-bid
Arrange	ment " if either o	ptional o	or mandato	ry pre-bid ar	rangement is	adopted.]

•	The tendered total of the Prices is HK dollars

X1 Price adjustment for inflation [Applicable to building contracts]

- The price adjustment shall be separately calculated for each *schedule of proportions* (i.e. Table A for the *works* other than Building Services works and Table B for Building Services Works).
- The schedule of proportions used to calculate the Price Adjustment Factors are:

Table A for schedule of proportions for the works other than Building Services Works as defined in Clause [XX of XXX] [project office to amend to suit; Refer to Annex 1 and Appendix B2 of DEVB TC(W) No. 4/2021 for items to be included and their respective limits at Column (1) & (2).]

Item of Labour and Selected Materials	Percentage of tendered prices subject to adjustment (%) LIMITS TENDER (whole		adjustment (%)	Calculated Proportions Index	
applicable to the contract	Max.	Min.	number) (*)	Proportion (+) (0.0085x(3))	
(Column No.)	(1)	(2)	(3)	(4)	
Composite labour wages for building contracts (a)	XX	XX			
Composite selected labour trades (b)	AA	AA			
Aggregates	XX	XX			
Portland cement (ordinary)	XX	XX			
Concrete blocks	XX	XX			
Sand	XX	XX			
Steel reinforcement	XX	XX			
Galvanised mild steel	XX	XX			
Metal formwork	XX	XX			
Timber formwork	XX	XX			
Woodwork	XX	XX			
Homogeneous floor tiles	XX	XX			
Mosaic tiles	XX	XX			
Glazed ceramic wall tiles	XX	XX			
Copper pipes	XX	XX			
uPVC pipes	XX	XX			
GMS pipes	XX	XX			
Epoxy coated cast iron pipes	XX	XX			
Glass	XX	XX			
Paint	XX	XX			
All other costs not subject to adjustment	-	-	-	0.1500	
TOTAL	-	-	100	1.0000	

Table B for schedule of proportions for Building Services Works as defined in Clause [XX of XXX] [project office to amend to suit; Refer to Annex 1 and Appendix B2 of DEVB TC(W) No. 4/2021 for items to be included and their respective limits at Column (1) & (2)]

Item of Labour and Selected Materials	Percentage of tendered prices subject to adjustment			Calculated Proportions
applicable to this contract	LIMITS		TENDER (whole number) (*)	Index Proportion (+)
	Max.	Min.		(0.0062x(3))
(Column No.)	(1)	(2)	(3)	(4)
General Workers	XX	XX		
Refrigeration/ AC/ Ventilation Mechanic	XX	XX		
Electrical Fitter (including Electrician)	XX	XX		
Fire Services Mechanic	XX	XX		
Plumber				
Painter and Decorator	XX	XX		
Galvanised mild steel	XX	XX		
GMS pipes	XX	XX		
Copper pipes	XX	XX		
uPVC pipes	XX	XX		
B.S. Equipment	-	ı	-	0.2300
All other costs not subject to adjustment	-	-	-	0.1500
TOTAL	-	-	100	1.0000

Notes

Columns (1) and (2) in Tables A and B for the *schedule of proportions* have been predetermined before issue of tender documents. Under no circumstances shall these figures be changed.

- (*) Column (3) to be filled in by the tenderer as follows:
 - For Table A, if item (b) for composite selected labour trades is more than 0%, the tenderer shall provide information regarding weighting to be assigned to each selected trade in the Table for Composite Selected Labour Trades below;
 - (ii) For items (a) composite labour wages and (b) composite selected labour trades in Table A only, the aggregate of the percentages assigned to items (a) and (b) shall be within the max. and min. limits set in columns (1) and (2), and item (b) shall not be greater than 40% of the aggregate of the percentages assigned to items (a) and (b);

- (iii) Other than items (a) and (b) in Table A, each of the percentages assigned to the remaining items in Table A [and all individual items of Table B] shall be within the respective max. and min. limits set in columns (1) and (2);
- (iv) Any non-compliance with paragraph (i), (ii) or (iii) above is regarded as an error of form and the *Project Manager* designate may seek clarification or information relating any part(s) of Table A [and any part(s) of Table B] affected by such error. If the requested information or clarification is not provided by the tenderer within the time or further time allowed by the *Project Manager*, Clause GCT 16(3) of the General Conditions of Tender shall apply.
- (v) Column (3) in Table A [and Table B] shall be completed in whole numbers. The total shall equal to 100 for each table.
- (+) Column (4) to be completed by the *Project Manager* designate after receipt of tender and before the execution of the Articles of Agreement.
- The tenderer shall complete the following table by filling in the weighting for each of the selected trades for computing the *index figure* of the "composite selected labour trades".

<u>Table for Composite Selected Labour Trades</u> [project office to amend to suit]

Labour Trades #	Weighting (%) **
Column No. (1)	Column No. (2)
Bar bender and fixer	
Carpenter (formwork)	
Concretor	
General welder	
Leveller	
Metal worker	
Plant & equipment operator (general)	
Plasterer	
Plumber	
Scaffolder	
TOTAL:	100

Notes:

- (#) The Census and Statistics Department publishes "Average Daily Wages of Workers Engaged in Public Sector Construction Projects as Reported by Main Contractors (2021 Edition of Data Series)" for the occupations listed in this column.
- (**) To be filled in by the tenderer in whole numbers between 0 and 100. The total shall equal to 100.
- An index figure shall mean:
 - ➤ In respect of composite selected labour trades, the weighted average of the "Average Daily Wages of Workers Engaged in Public Sector Construction

Projects as Reported by Main Contractors (2021 Edition of Data Series)". The "Average Daily Wages of Workers Engaged in Public Sector Construction Projects as Reported by Main Contractors (2021 Edition of Data Series)" is as compiled by the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region. The weighting for each selected trade is determined in accordance with the information provided by the *Contractor* in the Table for Composite Selected Labour Trades above.

- In respect of labour items in Table B for the *schedule of proportions*, the average daily wages of those occupations for the concerned labour items listed in the "Average Daily Wages of Workers Engaged in Public Sector Construction Projects as Reported by Main Contractors (2021 Edition of Data Series)" compiled by the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region.
- In respect of all other items in Tables A and B for the *schedule of proportions*, the appropriate *index figure* listed in the "Index Numbers of the Costs of Labour and Materials used in Public Sector Construction Projects (April 2021=100)" compiled by the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region.
- The *base date* for the *index figures* is the date 42 days prior to the date for the return of tenders.
 - In the event of any change(s) to the base period, composition, compilation
 method or availability of the *index figures* or any statistical figures used
 for compiling an *index figure*, as adopted by the Census and Statistics
 Department of the Government of the Hong Kong Special Administrative
 Region in the published *index figures* or published statistical figures on or
 after the date for the return of tenders, and
 - (a) where a conversion factor and/or the associated conversion method for the change in the *index figure* or statistical figure is available from the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region, the relevant Latest Index upon and after the discontinuation of the *index figure* or statistical figure with the original base period, composition and/or compilation method shall be calculated by using such conversion factor on the corresponding *index figure* or statistical figure;
 - (b) where the *index figure* or statistical figure remains available but a conversion factor and/or the associated conversion method is not available from the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region, the relevant Latest Index upon and after the discontinuation of the *index figure* or statistical figure with the original base period, composition and/or compilation method shall be calculated by multiplying the new *index figure* by a contract conversion factor which is a fraction, the numerator of which is the sum of the *index figure* with the original base period, composition and/or compilation method over the 12 months immediately before the first reference month whereby the *index figure* or statistical figure is discontinued ("month of the discontinuation"), and the denominator of which is the sum of the *index figure* with the new base period, composition and/or compilation method over the 12 months immediately before the month of the discontinuation

(i.e. Contract Conversion Factor $C = \frac{\text{OIF}_{k-1} + \text{OIF}_{k-2} + \dots + \text{OIF}_{k-12}}{\text{NIF}_{k-1} + \text{NIF}_{k-2} + \dots + \text{NIF}_{k-12}}$

where

k is the month of the discontinuation of the old $index\ figure$ / statistical figure NIF_{k-x} is the new $index\ figure$ applicable for x month(s) before month k OIF_{k-x} is the old $index\ figure$ applicable for x month(s) before month k); or

(c) where the *index figure* or statistical figure becomes unavailable, such *index figure* (with its relevant item in the *schedule of proportions*) or statistical figure (with its relevant labour trade in the Table for Composite Selected Labour Trades above) shall be abandoned. The corresponding weighting in column 3 of the *schedule of proportions* in Table A [and Table B] (i.e. the percentage of tendered prices subject to adjustment) and/or column 2 of the Table for Composite Selected Labour Trades above shall be redistributed to other *index figures* or statistical figure(s) which remain available on a prorata basis. The calculated proportions in the *schedule of proportions* shall be updated and/or the *index figure* relevant to the Table for Composite Selected Labour Trades above shall be compiled accordingly.

X1 Price adjustment for inflation [Applicable to civil engineering contracts] • The schedule of proportions used to calculate the Price Adjustment Factor are:

Table for schedule of proportions [project office to amend to suit; Refer to Annex 1 and Appendix B1 of DEVB TC(W) No. 4/2021 in setting the limits at Column (1) & (2)]

Item of Labour and			of tendered prices adjustment (%)	Calculated Proportions
Selected Materials applicable to the contract	LIMITS		TENDER (whole number) (*)	Index Proportion (+)
	Max.	Min.	number) ()	(0.0085x(3))
(Column No.)	(1)	(2)	(3)	(4)
Composite labour wages for civil engineering contracts (a)	XX	XX		
Composite selected labour trades (b)	M			
Aggregates	XX	XX		
Bitumen	XX	XX		
Diesel fuel	XX	XX		
Steel reinforcement	XX	XX		
Galvanised mild steel	XX	XX		
Portland cement (ordinary)	XX	XX		
Timber formwork	XX	XX		
All other costs not subject to adjustment	-	-	-	0.1500
TOTAL	-	-	100	1.0000

Notes:

- (*) Column (3) to be filled in by the tenderer as follows:
 - (i) If item (b) for composite selected labour trades is more than 0%, the tenderer shall provide information regarding weighting to be assigned to each selected trade in the Table for Composite Selected Labour Trades below;
 - (ii) For items (a) composite labour wages and (b) composite selected labour trades only, the aggregate of the percentages assigned to items (a) and (b) shall be within the max. and min. limits set in columns (1) and (2), and item (b) shall not be greater than 40% of the aggregate of the percentages assigned to items (a) and (b);
 - (iii) Other than items (a) and (b), each of the percentages assigned to the remaining items shall be within the respective max. and min. limits set in columns (1) and (2);
 - (iv) Any non-compliance with paragraph (i), (ii) or (iii) above is regarded as an error of form and the *Project Manager* designate may seek

clarification or information relating any part(s) of Table A [and any part(s) of Table B] affected by such error. If the requested information or clarification is not provided by the tenderer within the time or further time allowed by the *Project Manager*, Clause GCT 16(3) of the General Conditions of Tender shall apply.

- (v) Column (3) shall be completed in whole numbers. The total shall equal to 100.
- (+) Column (4) to be completed by the *Project Manager* designate after receipt of tender and before the execution of the Articles of Agreement.
- The tenderer shall complete the following table by filling in the weighting for each of the selected trades for computing the *index figure* of the "composite selected labour trades".

<u>Table for Composite Selected Labour Trades</u> [project office to amend to suit]

Labour Trades #		Weighting (%) **	
Column No. (1)		Column No. (2)	
Bar bender and fixer			
Carpenter (formwork)			
Concretor			
Electrical fitter (incl. electrician)			
General welder			
Mechanical fitter			
Metal worker			
Plant & equipment operator (general)			
Rigger/metal formwork erector			
Truck driver			
	TOTAL:	100	

Notes:

- (#) The Census and Statistics Department publishes "Average Daily Wages of Workers Engaged in Public Sector Construction Projects as Reported by Main Contractors (2021 Edition of Data Series)" for the occupations listed in this column.
- (**) To be filled in by the tenderer in whole numbers between 0 and 100. The total shall equal to 100.
- An *index figure* shall mean:
 - In respect of composite selected labour trades, the weighted average of the "Average Daily Wages of Workers Engaged in Public Sector Construction Projects as Reported by Main Contractors (2021 Edition of Data Series)". The "Average Daily Wages of Workers Engaged in Public Sector Construction Projects as Reported by Main Contractors (2021 Edition of Data Series)" is as compiled by the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region. The weighting for each selected trade is determined in

- accordance with the information provided by the *Contractor* in the Table for Composite Selected Labour Trades above.
- In respect of all other items in the *schedule of proportions*, the appropriate *index figure* listed in the "Index Numbers of the Costs of Labour and Materials used in Public Sector Construction Projects (April 2021=100)" compiled by the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region.
- The *base date* for the *index figures* is the date 42 days prior to the date for the return of tenders.
 - In the event of any change(s) to the base period, composition, compilation
 method or availability of the *index figures* or any statistical figures used
 for compiling an *index figure*, as adopted by the Census and Statistics
 Department of the Government of the Hong Kong Special Administrative
 Region in the published *index figures* or published statistical figures on or
 after the date for the return of tenders, and
 - (a) where a conversion factor and/or the associated conversion method for the change in the *index figure* or statistical figure is available from the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region, the relevant Latest Index upon and after the discontinuation of the *index figure* or statistical figure with the original base period, composition and/or compilation method shall be calculated by using such conversion factor on the corresponding *index figure* or statistical figure;
 - (b) where the *index figure* or statistical figure remains available but a conversion factor and/or the associated conversion method is not available from the Census and Statistics Department of the Government of the Hong Kong Special Administrative Region, the relevant Latest Index upon and after the discontinuation of the *index figure* or statistical figure with the original base period, composition and/or compilation method shall be calculated by multiplying the new *index figure* by a contract conversion factor which is a fraction, the numerator of which is the sum of the *index figure* with the original base period, composition and/or compilation method over the 12 months immediately before the first reference month whereby the *index figure* or statistical figure is discontinued ("month of the discontinuation"), and the denominator of which is the sum of the *index figure* with the new base period, composition and/or compilation method over the 12 months immediately before the month of the discontinuation

(i.e. Contract Conversion Factor $C = \frac{\text{OIF}_{k-1} + \text{OIF}_{k-2} + \dots + \text{OIF}_{k-12}}{\text{NIF}_{k-1} + \text{NIF}_{k-2} + \dots + \text{NIF}_{k-12}}$

where

k is the month of the discontinuation of the old $index\,figure$ / statistical figure NIF_{k-x} is the new $index\,figure$ applicable for x month(s) before month k OIF_{k-x} is the old $index\,figure$ applicable for x month(s) before month k); or

(c) where the *index figure* or statistical figure becomes unavailable, such *index figure* (with its relevant item in the *schedule of proportions*) or statistical figure (with its relevant labour trade in the Table for Composite Selected Labour Trades above) shall be abandoned. The corresponding weighting in column 3 of the *schedule of proportions* (i.e. the percentage of tendered prices subject to adjustment) and/or column 2 of the Table for Composite Selected Labour Trades above shall be redistributed to other *index figures* or statistical figure(s) which remain available on a pro-rata basis. The

calculated proportions in the *schedule of proportions* shall be updated and/or the *index figure* relevant to the Table for Composite Selected Labour Trades above shall be compiled accordingly.

Name			
Signature			
in the capacity of			
duly authorized to sign t	enders for and on behalf of		
Date			
Name of Witness			
Signature of Witness			
Occupation			
Address of Witness			