

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

政府總部  
環境運輸及工務局  
運輸及工務科  
香港花園道美利大廈



Environment, Transport  
and Works Bureau  
Government Secretariat  
Transport and Works Branch  
Murray Building, Garden Road,  
Hong Kong

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Group : 6

5 December 2002

**Environment, Transport and Works Bureau**  
**Technical Circular (Works) No. 45/2002**

**Procedures in the Selection of Consultants for Small Consultancy Assignments**

**Scope**

This Circular standardizes the procedures in WBTC No. 5/2002, in respect of the selection of consultants for small consultancy assignments under the jurisdiction of the Engineering and Associated Consultants Selection Board (EACSB).

**Effective Date**

2. The Circular takes immediate effect.

**Effect on Existing Circulars**

3. This Circular supersedes and replaces WBTC No. 5/2002.
4. It should be read in conjunction with WBTC No. 16/95, 16/95A and 8/2002, and the Handbook on Selection, Appointment and Administration of Engineering and Associated Consultants (the EACSB Handbook). In case of discrepancies, the provisions of this Circular shall prevail.

**Background**

5. A considerable number of small consulting firms in Hong Kong are capable of providing consultancy service for small consultancy assignments comparable to that provided by large consulting firms. It is in the interest of the Government to see these small consulting firms thrive, and that they should be encouraged to participate in public works projects.

### **Policy**

6. A consultancy assignment is considered as small if the estimated consultancy fee (the estimated fixed lump sum fee, or adjustments to scale of percentage fees, or time-charge rates where applicable) of the assignment does not exceed \$4 million.

7. For a small consultancy assignment, the procedures described in Appendix A shall apply unless

- (a) the Assessment Panel is of the view that the consultancy assignment is not straightforward as one or more of the conditions given in paragraph 9 are present, and recommends to the Head of the Department that the procedures described in Appendix A should not apply; and
- (b) the Head of the Department is personally satisfied that the consultancy assignment is not straightforward and approves the recommendation of the Assessment Panel that the procedures described in Appendix A shall not apply.

8. If the Head of the Department approves the recommendation of the Assessment Panel that the procedures described in Appendix A shall not apply, the usual procedures for selection and engagement of consultants described in the EACSB Handbook will apply. A copy of the approval in standardized format as shown at Appendix C shall be included in the Stage 1 submission (i.e. recommendation of a shortlist of suitable consultants) to the EACSB.

9. A consultancy assignment may be regarded as not straightforward if any one or more of the following conditions are present:

- (a) The assignment is for a pilot project, with no similar reference in Hong Kong.
- (b) The assignment is multi-disciplinary or specialized in nature requiring expertise knowledge in engineering studies, for example, certain traffic and environmental consultancies.

- (c) The nature of the assignment requires a consulting firm with long history of proven experience which is not generally available in small consulting firms.
- (d) Less than six relevant small consulting firms could be identified for longlisting.

10. Appendix A shows the procedures which shall be followed to establish a longlist and to invite expressions of interest. Other relevant provisions, for example, establishing the shortlist, combined technical and fee assessment etc., of WBTC No. 16/95 and 16/95A, and the EACSB Handbook shall then apply.

11. If a small consulting firm takes up too many consultancy assignments, the quality of services may be at risk. To enable the Assessment Panel to assess whether a small consulting firm will have the capability to undertake a consultancy assignment, consulting firms shall be asked to declare the amount of outstanding work in hand by providing a list of all current consultancy assignments with the Government and other clients when expressing their interest in an assignment.

**Subsumed**

**(W S Chan)**  
**Deputy Secretary for the Environment,**  
**Transport and Works (Transport and Works) W2**

**Procedures on Invitation for  
Expression of Interest for Small Consultancy Assignment**

1. **Step I**

**Assessment Panel Establishing a Longlist of Small Consultants**

- (a) For a small consultancy assignment, longlisting shall be confined to small consulting firms, as defined in sub-paragraphs 1(b) and 1(c). A reasonable number (but not less than 6) of “small consulting firms” shall be longlisted.
- (b) A consulting firm is considered to be small if it has a total of 10 or less works-related professional staff, for example, engineers, architects, surveyors, planners and landscape architects. At least half of the professional staff must be Hong Kong-registered professionals or corporate members of Hong Kong professional institutions in the appropriate disciplines. For a joint venture, it will be considered as small if the total number of works-related professional staff in all firms of the joint venture is 10 or less.
- (c) Additionally, the consulting firm shall be registered and maintain an active office in Hong Kong.
- (d) Information on the consultants’ staffing levels shall be obtained from available sources, for example, managing department’s own sources, the EACSB Consultants’ Services Directory, etc.

2. **Step II**

**Inviting Expression of Interest**

- (a) The managing department shall send an invitation letter to the consultants on the longlist requesting them to express interest. A Notice of Inviting Expression of Interest through Internet should also be posted on the website of the department in accordance with WBTC No. 8/2002.
- (b) Consultants shall be required to confirm in writing whether they satisfy the requirements of “small consulting firm” as stipulated in this Circular, and declare the amount of outstanding work in hand. The following statements shall be included in the invitation letter:

“This assignment falls within the criteria for inviting Expression of Interest as a small consultancy assignment as laid down in ETWB TCW No. 45/2002. Accordingly, longlisting has been confined to “small consulting firms”. As a prerequisite for your submission to be considered, you must satisfy the requirements of “small consulting firm” as stipulated in Part 1 of Annex \_\_\_\_ to this letter (*Appendix B of this Circular*). Also you are required to declare the

amount of outstanding work in hand by providing a list of all current assignments with the Government and other clients. For each assignment, please provide details on scope of assignment, name of client, consultancy fees, and percentage of work outstanding. Please complete Part 2 of Annex \_\_\_\_ and returning it to me together with your submission. Failure to do so will result in your submission not being considered.”

Subsumed

**Annex \_\_\_\_ to Invitation Letter**

**Agreement No. CE \_\_\_\_\_**

**Requirements of “Small Consulting Firm”**

**Part 1. Requirements**

- (a) A consulting firm is considered to be small if it has a total of 10 or less works-related professional staff, for example, engineers, architects, surveyors, planners and landscape architects. At least half of the professional staff must be Hong Kong-registered professionals or corporate members of Hong Kong professional institutions in the appropriate disciplines. For a joint venture, it will be considered as small if the total number of works-related professional staff in all firms of the joint venture is 10 or less.
- (b) The consulting firm shall be registered and maintain an active office in Hong Kong.

**Part 2. Confirmation by Consultant (to be completed and returned to the managing department together with the Expression of Interest submission)**

I hereby declare that my/our firms satisfy all the requirements stipulated in Part 1 above.

A list of all current assignments handled by my/our firms is attached.

Name of Consultant(s) : \_\_\_\_\_

Signed : \_\_\_\_\_  
( )

Date : \_\_\_\_\_

**Part 1**

To: (Head of Department)  
via

(Title of Consultancy and Assignment No.)

The estimated consultancy fee of the captioned assignment is less than \$4 million. The Assessment Panel, at its meeting held on \_\_\_\_\_, considered that this assignment is not straightforward for the reasons given below, and recommended that the procedures described in Appendix A of ETWB TCW No. 45/2002 in respect of the selection of consultants for small consultancy assignments should not apply.

Reasons:

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Signature:

Name:

Post: (Chairman, Assessment Panel)

Date:

**Part 2**

To: (Chairman, Assessment Panel)

- \* I am satisfied that the above assignment is not straightforward and approve your recommendation that the procedures described in Appendix A of ETWB TCW No. 45/2002 in respect of the selection of consultants for small consultancy assignments shall not apply.
- \* Your recommendation made in Part 1 is not approved because \_\_\_\_\_

Signature:

Name:

Post: (Head of Department)

Date:

- \* Delete as appropriate