

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

香港花園道美利大廈



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Environment, Transport and Works Bureau
Technical Circular (Works) No. 28/2004

Consultants Selection Assessment Panels

Scope

This Circular promulgates guidelines on the setting up and operation of assessment panels for selection of consultants. It applies to consultancies under the purview of the Architectural and Associated Consultants Selection Board (AACSB) and the Engineering and Associated Consultants Selection Board (EACSB).

Effective Date

2. The Circular takes immediate effect.

Effect on Existing Circulars

3. This Circular shall be read in conjunction with WBTC No. 16/95, 16/95A, ETWB TCW No. 19/2004, the Handbook on Selection, Appointment and Administration of Architectural and Associated Consultants (the AACSB Handbook) and the Handbook on Selection, Appointment and Administration of Engineering and Associated Consultants (the EACSB Handbook). In case of discrepancies or inconsistencies between this Circular and the Circulars and Handbooks referred to, the provisions of this Circular shall prevail.

Background

4. Paragraph 29 of WBTC No. 16/95 requires that assessment panels be established at the Longlist stage to assess consultants. The Consultancy Agreements Committee has recently reviewed the assessment panel procedures. While recognizing that flexibility should be allowed to suit individual departments and projects, it has been agreed that further guidelines should be provided to enhance consistency, transparency and the quality of assessment.

Functions of Assessment Panel

5. The major functions of an assessment panel are:
- (a) To determine the criteria for Longlist, and the criteria and marking scheme for the Shortlist, prior to sending out invitation letters for expression of interest and posting of the invitation notice on the departmental website.
 - (b) To assess expression of interest proposals and to recommend a Shortlist of consultants.
 - (c) To establish and agree on the marking scheme for technical proposals.
 - (d) To agree on a technical/fee weighting.
 - (e) To review the approved Shortlist of consultants in case there are changes in circumstances that may have affected the original shortlisting results.
 - (f) To assess the technical proposals and to affirm the technical suitability of the consultants for carrying out the consultancy.
 - (g) To discuss and agree on special matters, if any, relating to AACSB/EACSB submission and consultants selection.

Policy

6. Departments shall observe the following guidelines in the setting up and operation of assessment panels:
- (a) An assessment panel shall be chaired by an officer ranked preferably at D2, but not lower than D1, and comprise members of not lower than senior professional ranks from appropriate Government departments, except that the assessment panel secretary may be of professional rank if he/she is non-marking. To maintain consistency within a department, each department should set its own guidelines on the ranking of assessment panel chairpersons.

- (b) The chairperson of an assessment panel shall be appointed by an officer ranked at D3 or above in the procuring department. Assessment panel members shall be appointed by an officer ranked at D2 or above, who may be the chairperson of the assessment panel.
- (c) The chairperson and secretary of an assessment panel should preferably be non-marking to allow them to be more focus on discharging their duties, especially during assessment panel meetings. Nevertheless, this is not a mandatory requirement. To maintain consistency within a department, each department should set a policy on whether the chairperson and/or the secretary should be marking or non-marking. If for a particular consultancy, the assessment panel considers it necessary to depart from the set policy, the reasons should be recorded in the minutes of the assessment panel meeting. The decision should be made at the first assessment panel meeting.
- (d) An assessment panel should normally have three to five marking members. The number of assessment panel members may exceed five for very complex assignments.
- (e) It is in the interest of the procuring department to consult with other departments having a major interest in the fields and disciplines that are covered by the consultancy and who may be able to contribute to the consultant selection process. At least one member of the assessment panel should if possible come from another department.
- (f) The composition (i.e. number of marking members and name of departments involved) of the assessment panel should be made known to the shortlisted consultants. However, the identities of the individual assessment panel members should not be disclosed to avoid any lobbying activities.
- (g) In general, every assessment panel member should carry equal weighting. Nevertheless, flexibility is allowed for assessment panel members to agree among themselves on their weighting to reflect the scope of their involvement in the assessment. Care should be taken to avoid a single member dominating the outcome of the assessment. The reasons for having unequal weightings should also be recorded in the minutes of the assessment panel meeting and incorporated in the submission to AACSB/EACSB.
- (h) Each assessment panel member should conduct his/her assessment independently. Assessment panel members should not discuss or exchange views on the marking before the assessment panel meeting. However, assessment panel members may discuss technical issues to achieve better understanding of the proposals and to clarify facts before the assessment panel meeting.

- (i) Assessment panel members should acquaint themselves with the project background, issues, constraints and considerations relevant to the assessment exercise, and the procuring department should facilitate this by providing necessary information and documents to them. Normally all marking members should assess and mark the whole submissions from all bidders. Nevertheless, assessment panel members should not mark on sections or sub-sections which they do not have sufficient technical knowledge. The percentage marks for the various sections and sub-sections in the marking scheme should not be affected due to the fact that some assessment panel members do not give marks for a particular section or sub-section. There should be a minimum of three marking members for each section/sub-section. The scope of assessment by individual assessment panel members should be determined at or before the first assessment panel meeting and recorded in the minutes of the meeting.
- (j) For assignments with specialized areas where only some assessment panel members may have the competence to assess, setting up of sub-panels of competent persons may be considered by the assessment panel. Suitable persons outside the assessment panel could be appointed as sub-panel members, subject to the approval of an officer ranked at D2 or above. If sub-panels are to be set up, the assessment panel should determine the weighting assigned to each sub-panel before inviting proposals from the consultants. The assessment result of the sub-panels for each section/sub-section should first be worked out and then integrated with that of the main assessment panel, as if the sub-panel is an assessment panel member.
- (k) Justifications and decisions to adopt practices different from the usual should be recorded and incorporated in the relevant submissions to AACSB/EACSB in a self-contained manner.

Implementation

7. The guidelines set out in paragraph 6 shall apply to consultancies under the purview of AACSB/EACSB for which an assessment panel has yet to be established.
8. The AACSB and EACSB Handbooks will be updated in due course to incorporate the above guidelines.

(C S Wai)
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