



# Development Bureau

The Government of the Hong Kong Special Administrative Region

# Contractor Management Handbook

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Revision No.	Revision Date	Amendments
25	December 2023	<p>- Revision of Sections 2, 5 and Appendix 2A to incorporate the revised experience requirements for admission, confirmation and promotion on the List of Approved Contractors for Public Works, including:</p> <ul style="list-style-type: none"> <li>(i) recognising non-local contract experience for direct entry to Group C (confirmed) status;</li> <li>(ii) recognising local non-Government contract experience through “one Government contract <u>plus</u> one non-Government contract” arrangement for promotion route, confirmation route and direct entry to Group C (confirmed) status; and</li> <li>(iii) rationalising the minimum values of past contracts required in all routes for admission, confirmation and promotion to facilitate upward mobility and to remove previous inconsistencies.</li> </ul>

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contract. In addition, the contractor may be subject to regulating actions for poor integrity such as negligence, misconduct and impropriety as proven in cases where his employees, agents or subcontractors have solicited, accepted or been given advantage as defined in the Prevention of Bribery Ordinance (Cap. 201) in relation to any public works contract.

## 1.2 Effective Date

1.2.1 This Handbook was first promulgated via Works Bureau Technical Circular (WBTC) No. 5/2001 – Contractor Management Handbook in 2001 and thereafter is updated as and when needed. The current version of this Handbook took effect from **18 December 2023**. When there is any update in the future, the revision date will be stated at the top right corner of the relevant page.

## 1.3 Effect on Existing Technical Circulars

1.3.1 The relevant Technical Circulars which have been superseded or subsumed by this Handbook or shall be read in conjunction with this Handbook are listed in **Appendix 1**. The prevailing Technical Circulars are available at DEVB's website: [https://www.devb.gov.hk/en/publications\\_and\\_press\\_releases/technical\\_circulars/index.html](https://www.devb.gov.hk/en/publications_and_press_releases/technical_circulars/index.html).

## 1.4 Amendments in Revision No. 21 in January 2021

1.4.1 The major amendments made in Revision 21 of the Handbook are listed below for ease of reference:

	<u>Brief Description</u>	<u>Reference</u>
(a)	General updating and restructuring	All Sections and appendices except Annexes 3 to 5, 10, 12, 22, 23, 25, 28, 34 to Appendix 3C, Annex to Appendix 4B and Appendix 5A
(b)	Adjustment of Group Tender Limits, Probationary Limits and Financial Criteria	Section 2, Section 3, Appendices 2A (Annex 2), 3B and 3C

	<u>Brief Description</u>	<u>Reference</u>
(c)	Revamping of admission and retention requirements	Section 2, Section 3, Appendices 2A, 3A and 3C

1.4.2 The revised admission/ confirmation/ promotion/ retention management and technical requirements for the contractors on the List and the Specialist List in Section 2 and Section 3, Appendices 2A and 3C took effect from **1 March 2021**. Existing contractors on the List and the Specialist List have been given a transitional period after which they are required to fully comply with these revised requirements by **1 March 2024**. Notwithstanding this transition period, contractors shall meet these revised requirements when tendering for a new contract with tender invitation date falling on or after the effective date, viz. **1 March 2022**.

## 1.5 Amendments in this Revision

1.5.1 Changes incorporated in the previous revisions of this Handbook are listed in the Revision Sheet and the details of amendments are available at DEVB's website: [https://www.devb.gov.hk/en/construction\\_sector\\_matters/contractors/index.html](https://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html).

1.5.2 The major amendments made in December 2023 version of this Handbook are listed below for easy reference:

	<u>Brief Description</u>	<u>Reference</u>
(a)	Recognising non-local contract experience for direct entry to Group C (confirmed) status	Paragraphs 2.3.1, 5.2.3(e)(iii), 5.4.6 & 5.4.7 and Appendix 2A
(b)	Recognising local non-Government contract experience through "one Government contract <u>plus</u> one non-Government contract" arrangement	Appendix 2A
(c)	Rationalising the minimum values of past contracts required in all routes	Appendix 2A

## 2.2 Group Tender Limits

2.2.1 The value upon which contracts are grouped is based on the value of the tendered sum<sup>1</sup> offered by the successful tenderer. The Group Tender Limits are periodically adjusted and are currently set as follows: -

Group A - contracts of value up to \$150 million.

Group B - contracts of value up to \$400 million.

Group C - contracts of any values exceeding \$400 million.

## 2.3 Admission

2.3.1 The suitability of a contractor for admission in one or more of the categories and in a particular group on the List is assessed on the basis of both the contractor's global business activity and his activity in Hong Kong. Generally, a contractor will be assessed under six core elements (viz. safety, experience, management, staff employment, financial capability and integrity), as well as other technical requirements as detailed at **Appendix 2A**. A contractor will normally be admitted initially on probation to the appropriate category and group. If a contractor can demonstrate that he has satisfactorily completed relevant contracts<sup>2</sup> with value and scope meeting the experience requirements as stated at Appendix 2A, he may be admitted directly to the confirmed status of that particular category and group (viz. via the "direct entry" route), provided that he can also meet all other relevant requirements.

2.3.2 Application details and other relevant information (including the updated List) can be found in the website of DEVB via the following link:

[https://www.devb.gov.hk/en/construction\\_sector\\_matters/contractors/index.html](https://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html).

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<sup>1</sup> For New Engineering Contract (NEC), the tendered sum shall be the forecast total of the Prices.

<sup>2</sup> Specifically, if a contractor applies for admission to Group C at confirmed status directly based on **non-local contract(s)**, he is required to demonstrate to the satisfaction of DEVB that the contract(s) is/are on par with the standards of public works contracts in Hong Kong by providing necessary supporting documents with its application (see Remark 2.13 at Appendix 2A for details). If his application is successful, a two-year observation period (starting from the date of commencement of the first public works contract awarded to him) will be imposed. If he receives a total of two Adverse reports in any public works contract(s) under the same category during the observation period, he will be downgraded on a mandatory basis to Group C at probationary status in that category (see paragraphs 5.4.6 and 5.4.7 for details).

- (iii) Failure to comply with the provisions for employment of Technician Apprentices and Building and Civil Engineering graduates as required.
  - (iv) Failure to comply with the provisions for employment of sub-contractors registered under the Specialist Trade Contractors Registration Scheme of the Construction Industry Council as required.
  - (v) Failure to submit information and/or satisfy requirements on the management and technical capability.
  - (vi) Failure to obtain Quality Management System certification as required.
  - (vii) Withdrawal of tenders in a category within the tender validity period therefor on two or more occasions within a 36-month period as stipulated under Sub-section 5.13 below.
  - (viii) Failure to submit Sub-contractor Management Plans as required.
- (e) Circumstances warranting downgrading or demotion in a particular category
- (i) Poor performance, normally but not necessarily on more than one contract (in the case of probationary contractors in the lowest groups, this will normally warrant removal from the List and/or the Specialist List).
  - (ii) Failure/continued failure to satisfy the requirements on the management and technical capability after having been suspended from tendering in a particular category under sub-paragraph 5.2.3(d)(v) above but the management and technical capability satisfies the requirements of a probationary contractor in the same group or a lower group within a specified category.
  - (iii) Receipt of the second Adverse report during the observation period stipulated in paragraphs 5.4.6 and 5.4.7 for a contractor who is admitted to Group C at confirmed status via the direct entry route based on non-local contract experience.

5.2.3A Further to the above paragraph 5.2.3, removal or suspension from the List and/or the Specialist List or from a particular category thereof **will normally prohibit** a contractor from acting as a sub-contractor on a public works project, **unless**:

5.4.6 For a contractor who has been admitted directly to Group C at confirmed status based on non-local contract experience, he shall be subject to a two-year observation period starting from the date of commencement of the first public works contract awarded to him (“observation period”). If he receives a total of two Adverse reports in any public works contract(s) under the same category during the observation period, he shall be downgraded to probationary status in that category on a mandatory basis. For the avoidance of doubt, a contractor is regarded as having received an Adverse report during the observation period if the reporting quarter for such Adverse report is fully or partly within the observation period.

5.4.7 Once an Adverse report is issued to a contractor as mentioned in paragraph 5.4.6, the RRC shall inform the MRC immediately. The Managing Department shall then closely monitor the performance of that contractor and make a recommendation to downgrade him to probationary status if he receives a total of two Adverse reports in any public works contract(s) under the same category during the observation period. For the avoidance of doubt, the downgrade on mandatory basis will be imposed in addition to and without limiting to the regulating action as stipulated in paragraph 5.4.5(b) above or other parts of this Handbook.

5.4.8 Departments may consider recommending suspension to be extended to other categories if a contractor consistently shows poor performance in aspects, such as poor management ability, which are likely to affect other categories of works. In such cases, the Chairman of the RRC shall write to the Chairman of the MRC recommending suspension in more than one category. The Chairman of the MRC will assess the reasons given by the RRC and make a follow-up recommendation to DEVB.

5.4.9 Notwithstanding the provisions given in paragraph 5.4.5 above for consecutive Adverse reports, the RRC should consider recommending suspension in cases of repeated Adverse reports which are not consecutive. The procedure shall be similar to that set out in sub-paragraph 5.4.5(b) above.

5.4.10 As a general principle, in the case of contracts being carried out by joint venture, partnerships or consortia, the regulating actions arising from poor performance on a contract shall be applied equally to all individual members of the joint venture. Nevertheless, if the case warrants, DEVB may take different regulating actions against individual members of the joint venture.



## APPENDIX 2A Minimum financial, technical and management requirements for the List of Approved Contractors for Public Works

The suitability of a contractor for admission, confirmation and promotion to a category and group in the List is assessed mainly under six core elements, (namely experience, management, staff employment, safety, integrity and financial capability), as well as other specific technical requirements. A contractor on the List shall ensure his continuous compliance with the retention requirements. Subject to other provisions in the Handbook, the applicability of the criteria in this Appendix to admission, confirmation, promotion and retention are summarized in the table below.

	For admission, confirmation and promotion	For retention
<b>Criterion 1 : Safety</b>		
1.1 Qualified personnel	✓	✓
1.2 Performance in compliance with safety legislations	✓	✗ <sup>1</sup>
<b>Criterion 2: Experience</b>	✓	✗
<b>Criterion 3: Management – Top Management</b>		
3.1 Minimum number and qualifications	✓	✓
3.2 Continuous Capability Building	✗	✓
<b>Criterion 4: Staff Employment – Technical Staff</b>		
4.1 Minimum number and qualifications	✓	✓
4.2 Continuous Capability Building	✗	✓
<b>Criterion 5: Financial Capability</b>	✓	✓
<b>Criterion 6: Integrity</b>		
6.1 Integrity Management Policy	✓	✓
6.2 Integrity Training	✗	✓
<b>Other Criteria:</b> Business Registration Certificate, Statutory Registration and ISO 9001 Certification	✓	✓

<sup>1</sup> The policy and procedure for imposition of regulating action against contractors on the List for occurrence of a serious incident or conviction for site safety offences are set out in DEVB TC(W) No. 4/2022 and handled under that Technical Circular separately.

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 1: Safety</b>					
<b>Group A</b>					
1.1 Qualified personnel	<u>Admission on Probation / Confirmation / Retention</u> - 1 no. of safety supervisor (see Remark 1.1)				
1.2 Performance in compliance with safety legislations #	<u>Admission on Probation / Confirmation</u> - < 5 safety offences in each of the rolling 6-month period in the past 12 months (see Remark 1.2)				
<b>Group B</b>					
1.1 Qualified personnel	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation / Retention</u> - 1 no. of safety supervisor (see Remark 1.1)				
1.2 Performance in compliance with safety legislations #	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation</u> - < 5 safety offences in each of the rolling 6-month period in the past 12 months (see Remark 1.2)				
<b>Group C</b>					
1.1 Qualified personnel	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation / Retention</u> - 1 no. of safety manager (see Remark 1.1)				
1.2 Performance in compliance with safety legislations #	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation</u> - < 5 safety offences in each of the rolling 6-month period in the past 12 months (see Remark 1.2)				

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group A (Probation)</b> <i>(Not applicable for "Port Works" and "Site Formation" categories)</i>					
<b>2.1 Required Contract Experience</b>	<a href="#">Direct Entry</a> - Satisfactory completion of one contract (as main contractor or subcontractor) within the past 5 years				
<b>2.2 Minimum Contract Value</b>	<a href="#">Direct Entry</a> - over 50% of the applicable prevailing Group A limit				
<b>2.3 Specific Contract Coverage Requirement</b>	<a href="#">Direct Entry</a> - The scope of the contract shall comply with the relevant requirements specified in Annex 1 to Appendix 2A	/	---	/	<a href="#">Direct Entry</a> - Mainlaying works

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group A (Confirmed)</b> <i>(Not applicable for "Port Works" and "Site Formation" categories)</i>					
2.1 <b>Required Contract Experience</b>	<u>Direct Entry</u> - Satisfactory completion as the main contractor of <u>one Government contract</u> within the past 5 years  <u>By Confirmation from Group A (Probation)</u> - After inclusion in Group A on probation, <b>Method (1):</b> Satisfactory completion within the past 5 years or satisfactory execution for a period of two consecutive years within the past 5 years, as the main contractor, of <u>one Government contract</u> ; or <b>Method (2):</b> Satisfactory completion within the past 5 years or satisfactory execution for a period of two consecutive years within the past 5 years, as the main contractor, of <u>one non-Government contract</u> <sup>^</sup> ; or <b>Method (3):</b> Satisfactory completion within the past 7 years or satisfactory execution for a period of two consecutive years within the past 7 years, as the main contractor, of <u>one Government contract plus one non-Government contract</u> .  <i>[Note ^: only contract that is comparable to Government contract will be counted. In this connection, please refer to Remark 2.11 for details.]</i>				
2.2 <b>Minimum Contract Value</b>	<u>Direct Entry</u> - over 50% of the applicable prevailing Group A limit  <u>By Confirmation from Group A (Probation)</u> - <b>Method (1):</b> over 50% of the applicable prevailing Group A limit; or - <b>Method (2):</b> over 50% of the applicable prevailing Group A limit; or - <b>Method (3):</b> (i) Government contract - over 30% of the applicable prevailing Group A limit; and (ii) non-Government contract - over 50% of the applicable prevailing Group A limit.				
2.3 <b>Specific Contract Coverage Requirement</b>	<u>Direct Entry and By Confirmation from Group A (Probation)</u> - The scope of the contract shall comply with the relevant requirements specified in Annex 1 to Appendix 2A		<u>Direct Entry and By Confirmation from Group A (Probation)</u> - Experience in (i) construction of concrete carriageway and (ii) laying of pre-cast concrete pipes of various diameters		<u>Direct Entry and By Confirmation from Group A (Probation)</u> - Mainlaying works

## Minimum financial, technical and management requirements for the List of Approved Contractors for Public Works

Appendix 2A

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group B (Probation)</b>					
<b>2.1 Required Contract Experience</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- Satisfactory completion as the main contractor or subcontractor of <u>one contract</u> within the past 5 years</li> </ul> <p><u>By Promotion from Group A (Confirmed)</u> <i>(Not applicable for “Port Works” and “Site Formation” categories)</i></p> <ul style="list-style-type: none"> <li>- After confirmation in Group A, satisfactory completion as the main contractor of: <ul style="list-style-type: none"> <li><b>Method (1):</b> <u>one Government contract</u> within the past 5 years; or</li> <li><b>Method (2):</b> <u>one Government contract plus one non-Government contract</u> within the past 7 years.</li> </ul> </li> </ul>				
<b>2.2 Minimum Contract Value</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- over 50% of the applicable prevailing Group B limit</li> </ul> <p><u>By Promotion from Group A (Confirmed)</u> <i>(Not applicable for “Port Works” and “Site Formation” categories)</i></p> <ul style="list-style-type: none"> <li>- <b>Method (1):</b> over 70% of the applicable prevailing Group A limit; or</li> <li>- <b>Method (2):</b> <ul style="list-style-type: none"> <li>(i) Government contract - over 50% of the applicable prevailing Group A limit; and</li> <li>(ii) non-Government contract - over 70% of the applicable prevailing Group A limit.</li> </ul> </li> </ul>				
<b>2.3 Specific Contract Coverage Requirement</b>	<p><u>Direct Entry and By Promotion from Group A (Confirmed)</u></p> <ul style="list-style-type: none"> <li>- The scope of the contract shall comply with the relevant requirements specified in Annex 1 to Appendix 2A</li> </ul>	---	---	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- Earthworks quantity (excluding quarrying and maintenance of spoil dumps) not less than 50,000 m<sup>3</sup></li> </ul>	<p><u>Direct Entry and By Promotion from Group A (Confirmed)</u></p> <ul style="list-style-type: none"> <li>- Mainlaying works</li> </ul>

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group B (Confirmed)</b>					
<b>2.1 Required Contract Experience</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>Satisfactory completion as the main contractor of <u>one Government contract</u> within the past 5 years</li> </ul> <p><u>By Confirmation from Group B (Probation)</u></p> <ul style="list-style-type: none"> <li>After inclusion in Group B on probation, <ul style="list-style-type: none"> <li><b>Method (1):</b> Satisfactory completion within the past 5 years or satisfactory execution for a period of two consecutive years within the past 5 years, as the main contractor, of <u>one Government contract</u>; or</li> <li><b>Method (2):</b> Satisfactory completion within the past 5 years or satisfactory execution for a period of two consecutive years within the past 5 years, as the main contractor, of <u>one non-Government contract</u><sup>^</sup>; or</li> <li><b>Method (3):</b> Satisfactory completion within the past 7 years or satisfactory execution for a period of two consecutive years within the past 7 years, as the main contractor, of <u>one Government contract plus one non-Government contract</u>.</li> </ul> </li> </ul> <p>[Note ^: only contract that is comparable to Government contract will be counted. In this connection, please refer to Remark 2.11 for details.]</p>				
<b>2.2 Minimum Contract Value</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>over 70% of the applicable prevailing Group B limit</li> </ul> <p><u>By Confirmation from Group B (Probation)</u></p> <ul style="list-style-type: none"> <li><b>Method (1):</b> over 50% of the applicable prevailing Group B limit; or</li> <li><b>Method (2):</b> over 50% of the applicable prevailing Group B limit; or</li> <li><b>Method (3):</b> <ul style="list-style-type: none"> <li>(i) Government contract - over the applicable prevailing Group A limit; and</li> <li>(ii) non-Government contract - over 50% of the applicable prevailing Group B limit.</li> </ul> </li> </ul>				
<b>2.3 Specific Contract Coverage Requirement</b>	<p><u>Direct Entry and By Confirmation from Group B (Probation)</u></p> <ul style="list-style-type: none"> <li>The scope of the contract shall comply with the relevant requirements specified in Annex 1 to Appendix 2A</li> </ul>	---	<p><u>Direct Entry and By Confirmation from Group B (Probation)</u></p> <ul style="list-style-type: none"> <li>Experience in (i) construction of concrete carriageway, (ii) laying of pre-cast concrete pipes of various diameters and (iii) construction of highways structures for pedestrian use or vehicular use</li> </ul>	---	<p><u>Direct Entry and By Confirmation from Group B (Probation)</u></p> <ul style="list-style-type: none"> <li>Mainlaying works</li> </ul>

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group C (Probation)</b>					
<b>2.1 Required Contract Experience</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- Satisfactory completion, within the past 7 years, as the main contractor, of <u>a maximum of two contracts</u></li> </ul> <p><u>By Promotion from Group B (Confirmed)</u></p> <ul style="list-style-type: none"> <li>- After confirmation in Group B, satisfactory completion as the main contractor of: <ul style="list-style-type: none"> <li><b>Method (1):</b> <u>one Government contract</u> within the past 5 years; or</li> <li><b>Method (2):</b> <u>one Government contract plus one non-Government contract</u> within the past 7 years.</li> </ul> </li> </ul>				
<b>2.2 Minimum Contract Value</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- the contract value/the total contract value of the relevant/two relevant contract(s) shall be: <ul style="list-style-type: none"> <li>(a) if tenders for the relevant contract/two relevant contracts were invited “on or after 1 March 2021”: <ul style="list-style-type: none"> <li>➤ over 50% of the Group C (Probationary) limit applicable “on or after 1 March 2021”</li> </ul> </li> <li>(b) if tenders for the relevant contract/two relevant contracts were “before 1 March 2021 but on or after 15 February 2017”: <ul style="list-style-type: none"> <li>➤ over the Group C (Probationary) limit applicable for the period “before 1 March 2021 but on or after 15 February 2017”</li> </ul> </li> <li>(c) if tenders for the relevant contract/two relevant contracts were invited “before 15 February 2017”: <ul style="list-style-type: none"> <li>➤ over the Group C (Probationary) limit applicable “before 15 February 2017”</li> </ul> </li> <li>(d) if tenders for one of the relevant contracts were invited “before 1 March 2021 but on or after 15 February 2017” and tenders for the other relevant contract were invited “before 15 February 2017”: <ul style="list-style-type: none"> <li>➤ over the average of the applicable prevailing Group C (Probationary) limits of these two periods</li> </ul> </li> <li>(e) if tenders for one of the relevant contracts were invited “on or after 1 March 2021” and tenders for the other relevant contract were invited before 1 March 2021: <ul style="list-style-type: none"> <li>➤ over the sum of <ul style="list-style-type: none"> <li>(I) 50% of the Group C (Probationary) limit applicable before 1 March 2021; and</li> <li>(II) 25% of the Group C (Probationary) limit applicable “on or after 1 March 2021”</li> </ul> </li> </ul> </li> </ul> </li> <li>- if there are two relevant contracts, at least one of the relevant contract shall have a contract value over the applicable prevailing Group B limit.</li> </ul>				

Minimum financial, technical and management requirements for the List of Approved Contractors for Public Works Appendix 2A

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
2.2 Minimum Contract Value (Cont'd)	<p><u>By Promotion from Group B (Confirmed)</u></p> <ul style="list-style-type: none"> <li>- <b>Method (1):</b> over 70% of the applicable prevailing Group B limit; or</li> <li>- <b>Method (2):</b> <ul style="list-style-type: none"> <li>(i) Government contract - over 50% of the applicable prevailing Group B limit; and</li> <li>(ii) non-Government contract - over 70% of the applicable prevailing Group B limit.</li> </ul> </li> </ul>				
2.3 Specific Contract Coverage Requirement	<p><u>Direct Entry and By Promotion from Group B (Confirmed)</u></p> <ul style="list-style-type: none"> <li>- The scope of the contract shall comply with the relevant requirements specified in Annex 1 to Appendix 2A</li> </ul>	---	---	---	---



	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group C (Confirmed)</b>					
2.1 <b>Required contract Experience</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- Satisfactory completion as the main contractor of: <ul style="list-style-type: none"> <li><b>Method (1):</b> <u>one Government contract</u> within the past 5 years; or</li> <li><b>Method (2):</b> <u>one Government contract plus one non-Government contract</u> within the past 7 years; or</li> <li><b>Method (3):</b> <u>a maximum of two non-local contracts<sup>@</sup></u> within the past 7 years.</li> </ul> </li> </ul> <p><i>[Note @: only contract that is comparable to Government contract will be counted. In this connection, please refer to Remark 2.13 for details.]</i></p> <p><u>By Confirmation from Group C (Probation)</u></p> <ul style="list-style-type: none"> <li>- After inclusion in Group C on probation: <ul style="list-style-type: none"> <li><b>Method (1):</b> Satisfactory completion within the past 5 years or satisfactory execution for a period of two consecutive years within the past 5 years, as the main contractor, of <u>one Government contract</u>; or</li> <li><b>Method (2):</b> Satisfactory completion within the past 5 years or satisfactory execution for a period of two consecutive years within the past 5 years, as the main contractor, of <u>one non-Government contract<sup>^</sup></u>; or</li> <li><b>Method (3):</b> Satisfactory completion within the past 7 years or satisfactory execution for a period of two consecutive years within the past 7 years, as the main contractor, of <u>one Government contract plus one non-Government contract</u>.</li> </ul> </li> </ul> <p><i>[Note ^: only contract that is comparable to Government contract will be counted. In this connection, please refer to Remark 2.11 for details.]</i></p>				
	2.2 <b>Minimum Contract Value</b>	<p><u>Direct Entry</u></p> <ul style="list-style-type: none"> <li>- <b>Method (1):</b> <ul style="list-style-type: none"> <li>(a) if tenders for the contract were invited on or after 1 March 2021, over 150% of the applicable prevailing Group B limit.</li> <li>(b) if tenders for the contract were invited before 1 March 2021, over 70% of the applicable prevailing Group C (Probationary) limit.</li> </ul> </li> <li>- <b>Method (2):</b> <ul style="list-style-type: none"> <li>(a) the value of the Government contract shall be over the prevailing applicable Group B limit; and</li> <li>(b) the total value of the Government contract and the non-Government contract shall be over: <ul style="list-style-type: none"> <li>(i) \$2,000 million (if tenders for both contracts were invited on or after 1 March 2021)</li> <li>(ii) \$1,750 million (if tenders for both contracts were invited before 1 March 2021)</li> <li>(iii) \$1,875 million (if tenders for one of the contracts were invited on or after 1 March 2021 and tenders for the other contract were invited before 1 March 2021)</li> </ul> </li> </ul> </li> </ul>			

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 2: Experience (for admission, confirmation and promotion) #</b>					
<b>Group C (Confirmed) (Cont'd)</b>					
<b>2.2 Minimum Contract Value (Cont'd)</b>	<ul style="list-style-type: none"> <li>- <b>Method (3):</b> <ul style="list-style-type: none"> <li>(a) if there is only one relevant non-local contract, the contract value shall be over:               <ul style="list-style-type: none"> <li>(i) \$2,000 million (if tenders for the contract were invited on or after 1 March 2021)</li> <li>(ii) \$1,750 million (if tenders for the contract were invited before 1 March 2021)</li> </ul> </li> <li>(b) if there are two relevant non-local contracts, their total value shall be over:               <ul style="list-style-type: none"> <li>(i) \$2,000 million (if tenders for both contracts were invited on or after 1 March 2021)</li> <li>(ii) \$1,750 million (if tenders for both contracts were invited before 1 March 2021)</li> <li>(iii) \$1,875 million (if tenders for one of the contracts were invited on or after 1 March 2021 and tenders for the other contract were invited before 1 March 2021)</li> </ul> </li> </ul> </li> <li><u>By Confirmation from Group C (Probation)</u> <ul style="list-style-type: none"> <li>- <b>Method (1):</b> <ul style="list-style-type: none"> <li>(a) if tenders for the Government contract were invited on or after 1 March 2021, over 150% of Group B limit</li> <li>(b) if tenders for the Government contract were invited before 1 March 2021, over 70% of the applicable prevailing Group C (Probationary) limit</li> </ul> </li> <li>- <b>Method (2):</b> <ul style="list-style-type: none"> <li>(a) if tenders for the non-Government contract were invited on or after 1 March 2021, over 150% of Group B limit</li> <li>(b) if tenders for the non-Government contract were invited on or before 1 March 2021, over 70% of the applicable prevailing Group C (Probationary) limit</li> </ul> </li> <li>- <b>Method (3):</b> <ul style="list-style-type: none"> <li>(a) Government contract - the contract value shall be over the prevailing applicable Group B limit; and</li> <li>(b) Non-Government contract - the contract value shall be:               <ul style="list-style-type: none"> <li>(i) over 150% of the applicable prevailing Group B limit (if tenders for the contract were invited on or after 1 March 2021)</li> <li>(ii) over 70% of the applicable prevailing Group C (Probationary) limit (if tenders for the contract were invited before 1 March 2021)</li> </ul> </li> </ul> </li> </ul> </li> </ul>				
<b>2.3 Specific Contract Coverage Requirement</b>	<u>Direct Entry and By Confirmation from Group C (Probation)</u> <ul style="list-style-type: none"> <li>- The scope of the contract shall comply with the relevant requirements specified in Annex 1 to Appendix 2A</li> </ul>	---	<u>Direct Entry and By Confirmation from Group C (Probation)</u> <ul style="list-style-type: none"> <li>- Experience in (i) construction of concrete carriageway, (ii) laying of pre-cast concrete pipes of various diameters and (iii) construction of highways structures for vehicular use</li> </ul>	---	---

## Minimum financial, technical and management requirements for the List of Approved Contractors for Public Works

Appendix 2A

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 3: Management – Top Management</b>					
<b>Group A</b>					
<b>3.1 Minimum Number and qualifications</b>	<u>Admission on Probation (Direct Entry) / Confirmation / Retention</u> - At least one member of the resident top management shall have a minimum experience of five years, out of which three years shall be local experience, in managing a construction firm obtained in the past eight years				
<b>3.2 Continuous Capability Building*</b>	<u>Retention</u> - The named member(s) of the top management is/are required to participate in an average of minimum 6 hours of capability building events per year, including minimum 1 hour safety-related event(s) and 1 hour integrity-related event(s), within the 3-year interval for updating the Contractor Profile as required in paragraph 2.8.2 of Section 2.				
<b>Group B</b>					
<b>3.1 Minimum Number and qualifications</b>	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation / Retention</u> - At least one member of the resident top management shall have a minimum experience of five years, out of which three years shall be local experience, in managing a construction firm obtained in the past eight years				
<b>3.2 Continuous Capability Building*</b>	<u>Retention</u> - The named member(s) of the top management is/are required to participate in an average of minimum 6 hours of capability building events per year, including minimum 1 hour safety-related event(s) and 1 hour integrity-related event(s), within the 3-year interval for updating the Contractor Profile as required in paragraph 2.8.2 of Section 2.				
<b>Group C</b>					
<b>3.1 Minimum Number and qualifications</b>	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation / Retention</u> - At least one member of the resident top management shall have a minimum experience of five years, out of which three years shall be local experience, in managing a construction firm obtained in the past eight years				
<b>3.2 Continuous Capability Building*</b>	<u>Retention</u> - The named member(s) of the top management is/are required to participate in an average of minimum 6 hours of capability building events per year, including minimum 1 hour safety-related event(s) and 1 hour integrity-related event(s), within the 3-year interval for updating the Contractor Profile as required in paragraph 2.8.2 of Section 2.				

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 4: Staff Employment – Technical Staff</b>					
<b>Group A (not applicable for Port Works Category and Site Formation Category)</b>					
<b>4.1 Minimum Number and Qualifications</b>	<u>Admission on Probation (Direct Entry) / Confirmation / Retention</u> At least one person with one or more of the following qualifications: <ul style="list-style-type: none"> <li>- Higher Certificate in a discipline relevant to the category of works from a Hong Kong polytechnic, a Hong Kong recognised training institution or equivalent and one year local working experience in the relevant category of works; or</li> <li>- Ordinary Certificate in a discipline relevant to the category of works from a Hong Kong polytechnic, a Hong Kong recognised training institution or equivalent and two years local working experience in the relevant category of works; or</li> <li>- at least ten years local working experience in the relevant category of works</li> </ul>				
<b>4.2 Continuous Capability Building*</b>	<u>Retention</u> <ul style="list-style-type: none"> <li>- The named member(s) of the technical staff is/are required to participate in an average of minimum 6 hours of capability building events per year, including minimum 1 hour safety-related event(s) and 1 hour integrity-related event(s), within the 3-year interval for updating the Contractor Profile as required in paragraph 2.8.2 of Section 2.</li> </ul>				
<b>Group B</b>					
<b>4.1 Minimum Number and Qualifications</b>	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation / Retention</u> At least one person with one or more of the following qualifications: <ul style="list-style-type: none"> <li>- Higher Certificate in a discipline relevant to the category of works from a Hong Kong polytechnic, a Hong Kong recognised training institution or equivalent and two years local working experience in the relevant category of works; or</li> <li>- Ordinary Certificate in a discipline relevant to the category of works from a Hong Kong polytechnic, a Hong Kong recognised training institution or equivalent and three years local working experience in the relevant category of works; or</li> <li>- at least eleven years local working experience in the relevant category of works</li> </ul>				
<b>4.2 Continuous Capability Building*</b>	<u>Retention</u> <ul style="list-style-type: none"> <li>- The named member(s) of the technical staff is/are required to participate in an average of minimum 6 hours of capability building events per year, including minimum 1 hour safety-related event(s) and 1 hour integrity-related event(s), within the 3-year interval for updating the Contractor Profile as required in paragraph 2.8.2 of Section 2.</li> </ul>				
<b>Group C</b>					
<b>4.1 Minimum Number and Qualifications</b>	<u>Admission on Probation (Direct Entry or By Promotion) / Confirmation / Retention</u> At least two person with a relevant degree from a Hong Kong university or equivalent with at least five years post-graduate working experience, out of which three years shall be local experience, in the relevant category of works				
<b>4.2 Continuous Capability Building*</b>	<u>Retention</u> <ul style="list-style-type: none"> <li>- The named members of the technical staff are required to participate in an average of minimum 6 hours of capability building events per year, including minimum 1 hour safety-related events and 1 hour integrity-related events, within the 3-year interval for updating the Contractor Profile as required in paragraph 2.8.2 of Section 2.</li> </ul>				

## Minimum financial, technical and management requirements for the List of Approved Contractors for Public Works

Appendix 2A

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Criterion 5: Financial Capability (Please also refer to Annex 2 for details)</b>					
<b>Group A, Group B and Group C: Admission on Probation (Direct Entry or by Promotion) / Confirmation / Retention</b>					
<b>5.1 Paid-up Share Capital</b>	<u>Probationary</u> Group A: min. \$2.4 million Group B: min. \$5.8 million Group C: min. \$17.4 million		<u>Confirmed</u> min.: \$4.8 million min.: \$11.9 million min. \$22.2 million		
<b>5.2 Employed capital</b>	<u>Probationary</u> Group A: min. \$2.4 million ; max: \$4.7 million Group B: min. \$5.8 million ; max: \$12.1 million Group C: min. \$17.4 million plus specified % of annualized outstanding works (A.O.W.)		<u>Confirmed</u> min.: \$4.8 million ; max.: \$9.0 million min.: \$11.9 million ; max.: \$25.1 million min. \$22.2 million plus specified % of A.O.W.		
<b>5.3 Working capital</b>	<u>Probationary</u> Group A: higher of \$2.4 million or 15% of A.O.W. Group B: higher of \$5.8 million or 10% of A.O.W. Group C: higher of \$17.4 million or 8-10% of A.O.W.		<u>Confirmed</u> higher of \$4.8 million or 15% of A.O.W. higher of \$11.9 million or 10% of A.O.W. higher of \$22.2 million or 8-10% of A.O.W.		
<b>5.4 Profitability Trend Analysis</b>	- Average loss rate ≤ 30%				
<b>Criterion 6: Integrity</b>					
<b>Group A, Group B and Group C</b>					
<b>6.1 Integrity Management Policy</b>	<u>Admission on Probation (Direct Entry or by Promotion) / Confirmation / Retention</u> - Possess an integrity management policy covering at least the contents set out in the Sample Integrity Management Policy at Annex 3				
<b>6.2 Integrity Training*</b>	<u>Retention</u> - See sub-criteria 3.2 and 4.2 above				
<b>Other criteria</b>					
<b>Group A, Group B and Group C: Admission on Probation (Direct Entry or by Promotion) / Confirmation / Retention</b>					
<b>7.1 Place of Business</b>	- Possess or set up in Hong Kong a place of business as defined in Section 2 of the Business Registration Ordinance				
<b>7.2 Statutory Registration</b>	- Registration with the Building Authority's Register of General Building Contractors	---	---	---	---

	Buildings	Port Works	Roads & Drainage	Site Formation	Waterworks
<b>Group B and Group C: Admission on Probation (Direct Entry or by Promotion) / Confirmation / Retention</b>					
7.3 Quality Management	<p><u>Group B and Group C</u></p> <ul style="list-style-type: none"> <li>- Obtain ISO 9001:2015 Certification; or</li> <li>- If the contractor does not have suitable works contracts in hand for certification auditing, a confirmation from a certification body accredited by the Hong Kong Certification Body Accreditation Scheme to issue the certification or considered to be equivalent by DEVB that a full review of the Quality Manual of their Hong Kong office has been carried out in Hong Kong by the certification body and such Quality Manual has been confirmed by the certification body as being in conformity with the requirements of the relevant ISO standard. Please refer to WBTC No. 13/2001 &amp; ETWB TC(W) No. 13/2001A and subsequent updates.</li> </ul>				

Remarks			
<b>General</b>			
<ol style="list-style-type: none"> <li>1. The assessment criteria / sub-criteria denoted with asterisk (*) are retention requirements only.</li> <li>2. The assessment criteria / sub-criteria denoted with hashtag (#) are admission, confirmation or promotion requirements only.</li> <li>3. Except for those assessment criteria / sub-criteria denoted with asterisk (*) and hashtag (#), the remaining ones are applicable to admission, confirmation, promotion and retention.</li> <li>4. There are no Group A contractors for the Port Works and Site Formation categories.</li> <li>5. In general, the contract experience claimed for the purpose of admission/confirmation/promotion to/in a category shall have the same nature of works corresponding to that category being applied for by a contractor. Nevertheless, DEVB/Managing Departments shall have the discretion to decide whether the contract experience so claimed by the contractor is acceptable or not for each case.</li> </ol>			
<b>Criterion 1: Safety</b>			
<b>1.1 Qualified Personnel</b>			
<u>Group A and Group B</u>			
<ul style="list-style-type: none"> <li>- The contractor shall employ at least one person who is qualified to be a safety supervisor in accordance with Chapter 3, Appendix III, paragraph 6(4) of the Construction Site Safety Manual.</li> <li>- The duties of safety supervisor shall include providing assistance to the contractor in promoting the safety and health of its employees. Provided that the duties of the safety supervisor can be properly discharged, the safety supervisor may work on part-time basis or take up other tasks.</li> </ul>			
<u>Group C</u>			
<ul style="list-style-type: none"> <li>- The contractor shall employ at least one person as a safety manager who shall possess below qualifications :</li> </ul>			
	Academic qualification	Experience	Professional
Requirements	Degree or equivalent qualification in engineering, construction-related or occupational safety and health discipline	At least five years of construction site safety experience at managerial level after registration as Safety Officer under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations	Registered Safety Auditor under the Factories and Industrial Undertakings (Safety Management) Regulation
Alternative Requirements	---	At least ten years of construction site safety experience at managerial level after registration as Safety Officer under the Factories and Industrial Undertakings (Safety Officers and Safety Supervisors) Regulations	Registered Safety Auditor under the Factories and Industrial Undertakings (Safety Management) Regulation
<ul style="list-style-type: none"> <li>- The duties of the safety manager shall include providing assistance to the contractor in overseeing the safety and health of its employees and the company's safety performance in construction sites. Provided that the duties of the safety manager can be properly discharged, the safety manager may work on part-time basis or take up other tasks.</li> <li>- For admission, confirmation, promotion or retention in more than one categories in the List and/or the Specialist List, the contractor is required to employ one qualified safety personnel with requirements appropriate to the highest Group of the List only instead of one for each category.</li> </ul>			

## Remarks

**1.2 Performance in compliance with safety legislations#**

- The applicant shall not be convicted of 5 or more site safety offences counted by the date of commission and not by the date of conviction, each arising out of separate incidents in any 6-month period in the past 12 months counting from the submission of the application. For example, if an applicant submitted its application on 1 January 2021, the applicant shall not be convicted of 5 or more site safety offences in each of the rolling 6-month period below:

Rolling 6-month Period	1 Jan 20 to 30 Jun 20	1 Feb 20 to 31 Jul 20	1 Mar 20 to 31 Aug 20	1 Apr 20 to 30 Sep 20	1 May 20 to 31 Oct 20	1 Jun 20 to 30 Nov 20	1 Jul 20 to 31 Dec 20
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- A site safety offence means a conviction for any offence set out in the ordinances and their subsidiary legislations stipulated in paragraph 8(h) of DEVB TC(W) No. 4/2022 or subsequent updates. For applicants who do not have site experience in the HKSAR, a site safety offence means a conviction for any offence set out in the relevant occupational health and safety acts, regulations and their subsidiary legislations in its place of incorporation or place of major business. The applicants shall provide details of such site safety offence to DEVB and Managing Department(s) for assessment.
- The applicant shall declare his compliance with this assessment sub-criteria in the application form, and shall provide supporting documents upon request. In the event that an applicant's number of convictions exceeds the above limit, the applicant shall be regarded as having satisfied this requirement if the applicant already holds a certificate of compliance with ISO 45001 (or equivalent) and has completed a safety audit by external safety auditor recognised by DEVB to demonstrate its capability to deliver a relevant contract with satisfactory safety performance after the last conviction and within one year from its application.



Remarks			
<b>Criterion 2: Company Experience#</b>			
2.1	For the purpose of application for admission/confirmation/promotion to/in a category, a contractor can make use of his experience gained from Government, non-Government and/or non-local contract(s) as detailed in this Appendix. Unless otherwise specified, “contract” shall mean Government, non-Government or non-local contract in this Appendix.		
2.2	In this Appendix:		
(i)	“ <b>Government contract</b> ” means works contract where the Employer is the “ <b>HKSAR Government</b> ” and includes “deemed Government contract”, which typically covers public housing contracts and “Schedule I hospital project” contracts as well as other contracts that satisfy the conditions as stated in point (iv) below.		
(ii)	“ <b>non-Government contract</b> ” means works contract executed in HKSAR other than “ <b>Government contract</b> ”.		
(iii)	“ <b>non-local contract</b> ” means works contract executed outside HKSAR.		
(iv)	For the purpose of assessing contract experience requirements for admission, confirmation and promotion, the Managing Department may, but is not bound to, deem a non-Government contract as a Government contract if the following conditions are satisfied:		
	(a) the majority of its works (i.e. more than 50% of work value) under that non-Government contract are construction works entrusted by the Government;		
	(b) the provisions in that non-Government contract follow the requirements and standards of works in relevant category of the Government works contracts;		
	(c) the procurement and contract administration of the party to whom the Government construction works are entrusted follows the standard procedures of Government works contracts; and		
	(d) the contractor could provide evidence to the satisfaction of the Managing Department demonstrating that conditions (a) to (c) above are met. To facilitate assessment, the Managing Department may seek confirmation on the authenticity of the proof provided by the contractor and/or seek further references from relevant parties, including the bureau/department which has entrusted the works to the non-Government client.		
2.3	The applicable limits for assessing the minimum contract value requirement in this Appendix are as follows:		
	<b>Tender invitation date of the relevant contract</b>	<b>Group A</b>	<b>Group B</b>
	On or after 1 March 2021	\$150 million	\$400 million
	Before 1 March 2021 but on or after 15 February 2017	\$100 million	\$300 million
	before 15 February 2017	\$75 million	\$185 million
2.4	A contractor may apply for direct entry to confirmed status for Groups A, B and C if it can demonstrate that it has satisfactorily completed the relevant contracts as specified in paragraph 2.3.1 of Section 2 and this Appendix.		
2.5	For direct entry to Group A (Probation) or Group B (Probation), sub-contractor experience in this Appendix refers to working experience in carrying out sub-contract works in the first tier level (i.e. a sub-contract between the contractor applicant and the main contractor). The sub-contract works shall have the same nature as the works under the category the contractor applicant is applying for. For the avoidance of doubt, the experience claimed from one sub-contract, if accepted by the Managing Department, can only be counted once for any application(s) made by the contractor applicant under this Appendix. The contractor applicant shall provide sufficient evidence to support his experience claimed from the completed sub-contracts concerned.		

Remarks
<p>2.6 Despite anything to the contrary in this Appendix, the following rules shall apply to applications under the “<b>Waterworks</b>” category:</p> <p>(a) For (i) the confirmation route from probationary to confirmed status for Group A or Group B and (ii) the promotion route from Group A (Confirmed) to Group B (Probation), the value of waterworks in a contract which is not a waterworks contract in nature may be counted, provided that the contractor carried out the waterworks himself and was the main contractor for that contract.</p> <p>(b) For direct entry to Group A (Probation) or Group B (Probation), a contractor’s waterworks experience as a second-tier sub-contractor in a Government or non-Government main contract which is not a waterworks contract in nature may be counted, provided that (i) the scope of works of the main contract includes waterworks entrusted by the Water Supplies Department of the HKSAR to another department or quasi-Government / non-Government organisation who is the employer / client of the main contract, and (ii) such waterworks were required to be carried out by the main contractor or first-tier subcontractor listed under the “Waterworks” category.</p> <p>2.7 For contracts undertaken by the contractor applicant as a participant or shareholder of a joint venture, only the part of the works undertaken by the contractor applicant under the contract shall be assessed and the calculation shall be based on his share of the works by percentage participation. The part of the works completed or executed by the contractor applicant shall be relevant to the works under the Category he is applying for. He shall provide sufficient evidence to support the experience claimed from his completed or executed part of the works, as appropriate, in the joint venture contracts. For application under the direct entry to confirmed status route for any groups / categories, only contract(s), in which the contractor applicant’s percentage participation in the joint venture is 30% or more, will be counted.</p> <p>2.8 Completion of contract refers to issue of certificate of completion of the works or the last completed section of the works (excluding establishment works) or, for term contracts, the issue of completion certificate for the last completed works order (excluding establishment works).</p> <p>2.9 The contractor shall provide documentary evidence (e.g. performance reports, progress reports, minutes, statement from the Engineer / Architect / Supervising Officer / Client, etc.) to the satisfaction of the Managing Departments or DEVB to demonstrate compliance with this Appendix. The Managing Department or DEVB may seek further information from relevant authorities/clients/consultants/authorized persons/architects/engineers or other relevant person/parties to ensure that the contract complies with this Appendix. The contractor, by submitting his application for admission/promotion/confirmation, hereby consents to the above-mentioned parties from releasing any relevant information for the purpose of assisting the Managing Department or DEVB in assessing whether the contractor’s application is in compliance with this Appendix.</p> <p>2.10 For the purpose of assessing the minimum contract value,</p> <p>(a) for completed contracts - the value of the completed contract as certified or estimated by the Architect/Engineer/Project Manager.</p> <p>(b) for contract that has not been completed - the value of the completed works under the contract as certified or estimated by the Architect/Engineer/Project Manager.</p> <p>2.11 For the purpose of Method 2, viz. the confirmation route for each category, the contract based on which the relevant experience is claimed will only be assessed provided that it is a main contract and is comparable to Government contract in terms of management and site practices, including among others safety and environmental performance.</p> <p>2.12 If a contractor applicant uses experience claimed from non-local contract(s) to apply for direct entry to Group C (Confirmed), he is required to submit an “Information Form on Contractor’s Non-local Contract Experience”, which can be obtained from DEVB’s website (<a href="https://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html">https://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html</a>).</p>

Remarks
<p>2.13 The non-local contract(s) mentioned in 2.12 above shall be on par with the standard of Government contracts in terms of legal framework governing the construction works, contract management system and works supervision system, as substantiated with proof by the contractor applicant in his application. Moreover, the experience claimed from the non-local contract(s) concerned shall be authenticated by the Government, consul or trade commissioner of the region/country where the non-local contract(s) was/were carried out, or by other appropriate authority accepted by DEVB.</p> <p>2.14 For the purpose of “Direct Entry” to any group, “within the past “x” year” means the period of “x” year counting back from but exclusive of, the date of submission of the relevant application form.</p> <p>2.15 For the purpose of the “Confirmation” or “Promotion” route, “within the past “x” year” means:</p> <p>(a) For Government contract – (i) the period counting back from but exclusive of, the date of submission of the relevant application form if the contractor has been on the immediately lower group/status for “x” years or above or (ii) the period the contractor has been on the immediately lower group/status for all other cases. For the avoidance of doubt, the period under limb (ii) may be less than “x” years.</p> <p>(b) For non-Government contract – the period counting back from but exclusive of, the date of submission of the relevant application form.</p> <p>2.16 If foreign currencies are involved in assessing the value of contracts completed/satisfactorily executed, the exchange rate for conversion to Hong Kong currency shall be the average between the buy and sell TT rates based on the historical data from the website of the Hong Kong Association of Banks (HKAB) on the date of application. For contracts using ex-European currencies, such ex-European currencies shall be converted to the Euro Currency using the exchange rate on 1 January 1999, before conversion to Hong Kong currency. If the exchange rate for a particular currency is not available from the website of HKAB on the date of application, the Managing Department should determine the exchange rate as appropriate based on the exchange rate from the monetary authority of that currency.</p>
<p><b>Criterion 3: Management and Criterion 4: Staff Employment</b></p>
<p>3.1 The contractor shall employ in Hong Kong, the minimum number of full time management and technical personnel with relevant experience in engineering and project management as specified in sub-criteria 3.1 and 4.1 at the time of admission and while he is on the List shall keep DEVB informed of any changes of such personnel. The contractor shall be removed from the List or demoted to a lower group if he fails to comply with this requirement.</p> <p>3.2 Top management shall be the President, Chairman, Director, Managing Director, Executive Director, or General Manager etc.</p> <p>3.3 The top management and the technical staff appointed by a contractor must be two individual persons.</p>

**Remarks**

3.4 For technical staff of Group C contractors, the following degrees are considered relevant:

<b>Buildings</b>	<b>Port Works, Roads and Drainage, Site Formation, Waterworks</b>
Structural Engineering	Civil Engineering
Engineering (in the structural engineering stream)	Engineering (in the civil engineering stream)
Architecture	
Quantity Surveying	
Building Technology	

Other degrees such as those in Mechanical Engineering, Electrical Engineering and Management Studies are not considered as relevant degrees. A relevant professional qualification is equivalent to a relevant degree. Relevant degrees from universities or polytechnics outside Hong Kong are acceptable.

3.5 Academic or non-graduate vocational qualifications other than those stipulated in this Appendix may be acceptable, subject to case by case consideration, at the merits of relevant proofs and/or supporting information as deemed necessary, by the relevant Managing Department.

3.6 For admission, retention, confirmation or promotion in more than one category, the contractor is required to employ one top management with qualifications and experience appropriate to the highest Group only instead of one for each category. However, he is required to employ a minimum of one experienced technical staff for each category regardless of the number specified in the above table. The experience and qualifications of the technical staff shall be as specified for the appropriate group and category in the above table.

3.7 For the avoidance of doubt, a person already appointed by a contractor on the Approved List or a supplier/specialist on the Specialist List as its full-time Top Management/Technical Staff should NOT be appointed simultaneously as Top Management/Technical Staff of another contractor/supplier/specialist on the Approved List or the Specialist List.

3.8 For requirements set out in sub-criteria 3.2, 4.2 and 6.2 in this Appendix, capability building events may be in the form of conferences, seminars, workshops, forums, training courses, etc. The contractor shall declare its compliance with these sub-criteria during renewal and submit documentary proof if requested.

**Other Criteria**

4.1 Contractors shall possess or set up in Hong Kong a place of business as defined in Section 2 of the Business Registration Ordinance (Cap. 310).

4.2 Contractors applying for admission to the Buildings category are required to be registered in the Register of General Building Contractors kept by the Building Authority in accordance with the Buildings Ordinance (Cap. 123) and shall submit proof of their registration with their applications.