

財經事務及庫務局
(庫務科)

香港下亞厘畢道
中區政府合署



FINANCIAL SERVICES AND
THE TREASURY BUREAU
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來函檔號 Your Ref. :

Clerk to the Panel on Manpower
Legislative Council
3/F Citibank Tower
Central
Hong Kong
(Attn : Mrs Sharon Tong)

21 January 2005

Dear Mrs Tong,


**LegCo Panel on Manpower Meeting on 18 November 2004
Employment terms for non-skilled workers engaged in projects
or services contracted out by the Government**

During the discussion on this subject, the Chairman of the Manpower Panel asked the Administration to provide information on the marking scheme related to the assessment of tenderers' compliance with the Employment Ordinance, Employees Compensation Ordinance and Immigration Ordinance and relevant contractual obligations, and the assessment of tenderers' wage rate offers.

To ensure transparency in the tender assessment, the marking scheme is annexed to the tender document for reference by prospective tenderers in preparing their tender submissions. The assessment criteria and the distribution of marks in a marking scheme may vary having regard to the operational requirements of the service contracts of the departments. We will encourage government departments to consider, where appropriate, including a criterion in the marking scheme to assess the tenderer's wage rate offer to their non-skilled workers. Additional marks would be awarded to the tenders if their wage rate offered was higher than that for the relevant industry/occupation as published in the Census and

----- We now enclose a sample of the marking scheme currently used by the Food and Environmental Hygiene Department for reference of Panel Members.

Yours sincerely,



(Mrs Vivian Ting)

for Secretary for Financial Services and the Treasury

| | | |
|----|--------------------------------------------|----------------------------|
| cc | Commissioner for Labour | (Attn : Miss Carrie Chang) |
| | Director of Food and Environmental Hygiene | (Attn : Mr HO Sai-biu) |
| | Government Property Administrator | (Attn : Mr K K Mok) |
| | Director of Housing | (Attn : Mr LEUNG Sai-chi) |
| | Director of Leisure and Cultural Services | (Attn : Mr Ricky Chui) |

"Sample"

Marking Scheme for Tender Assessment
(currently used by the Food and Environmental Hygiene Department)

Nature of Service : Street Cleansing Services

Tender Reference :

Name of Tenderer : _____

| Assessment Criteria | Maximum Marks (M) | Standard Score (S) (See Note 1) | | | Marks Scored (M x S) | Remarks/ Basis of Assessment |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----|---|----------------------|---------------------------------|
| | | 1 | 0.5 | 0 | | |
| A. Provision of Additional Resources (19) | | | | | | |
| A.1 | Proposed staffing more than minimum requirements stated in Part B of Schedule 4. | 10 | | | | See Note 2 |
| A.2 | Proposed vehicle more than minimum requirements stated in Schedule 3. | | | | | |
| | A.2.1 Street Washing Vehicle | 5 | | | | See Note 3 |
| | A.2.2 Tipper lorry | 2 | | | | See Note 3 |
| | A.2.3 Other relevant cleansing vehicle | 2 | | | | See Note 4 |
| Sub-total of Score (A) : | | | | | | |
| B. Deployment of Human Resources (53) | | | | | | |
| B.1 | <u>Quality of Management Plan</u> | | | | | See Note 5 |
| | B.1.1 Organization chart of the proposed work force. Particulars of relevant management plan. Description of staff's pre-employment requirements, responsibilities and training. | 6 | | | | |
| | B.1.2 Proposal on supervision of frontline staff and accountability for non-performance. | 6 | | | | See Note 5 |
| B.2 | <u>Quality of Work Plan</u> Daily / weekly / fortnightly / monthly work programmes in accordance with work schedules and service level requirements stated in Schedule 5, particulars of cleansing equipment / materials / tools and vehicles to be used for the contract service, and staff deployment plan. | 15 | | | | See Note 5 |
| B.3 | Proposed monthly wage for cleansing workmen and toilet attendants to be employed under the Contract [clause 4(a)(iii) of the Notes for Tenderers, clause 24 of the Special Conditions of Contract and Part C of Schedule 4 are relevant]. | 9 | | | | See Note 6 |
| B.4 | Proposed allowable daily maximum working hours for cleansing workmen and toilet attendants to be employed under the Contract (clause 23 of the Special Conditions of Contract and Part C of Schedule 4 are relevant). | 4 | | | | See Note 7 |
| B.5 | Record of compliance in the past 12 months with : (i) the Employment Ordinance (Cap. 57), Employees' Compensation Ordinance (Cap. 282), Immigration Ordinance (Cap. 115) and Criminal Procedure Ordinance (Cap. 221); and/or (ii) the wage level / allowable daily maximum working hours / signed written employment agreements undertaking should Tenderers have undertaken FEHD's service contracts. | 13 | | | | See Note 8 |
| Sub-total of Score (B) : | | | | | | |
| C. Experience/Performance (28) | | | | | | |
| C.1 | Experience in street cleansing services for Government / private organizations in last 10 years. | 5 | | | | See Note 9 |
| C.2 | Record of past performance in street cleansing services for Government / private organizations in last 10 years. | 15 | | | | See Note 10 |
| C.3 | Contingency plan in case of shortage or absence of vehicles / equipment / staff. Level of support and resources available at time of emergency. | 5 | | | | See Note 5 |
| C.4 | Qualification in quality management issued by organizations generally recognized in Hong Kong e.g. valid and relevant ISO certifications. | 3 | | | | See Note 11 |
| Sub-total of Score (C) : | | | | | | |
| Overall Marks Scored (A + B + C) : | | | | | | |

Explanatory Notes for Tender Assessment

Tenderers shall note that they must meet all minimum tender requirements specified in clause 4(a) of the Notes for Tenderers or their tenders will not be further considered under the marking scheme.

- Note 1 Tenderer's proposal/qualification in respect of the features mentioned in the assessment criteria will be rated as :
- For all items except item A.2.3, B.3, B.4, B.5 or C.4**
Very good (VG), Good (G) or Pass (P), which carry standard scores of 1, 0.5, and 0 respectively.
- For items A.2.3, B.4, B.5 and C.4**
Yes or No, which carry standard scores of 1 and 0 respectively.
- For item B.3**
 In accordance with the rules set out in Note 6 below.
- Note 2
- | | | |
|----|---|----------------------------------------------------------------------------------------------------------------------------------|
| VG | - | Proposed provision of staff (total man-hours) exceeds the minimum requirement (total man-hours) by 10% or more. |
| G | - | Proposed provision of staff (total man-hours) exceeds the minimum requirement (total man-hours) by 5% or more but less than 10%. |
| P | - | Proposed provision of staff (total man-hours) exceeds the minimum requirement (total man-hours) by less than 5%. |
- Note 3
- | | | |
|----|---|--------------------------------------------------------------------------------------------|
| VG | - | Proposed provision of vehicle exceeds the minimum requirement by 2 vehicle-shifts or more. |
| G | - | Proposed provision of vehicle exceeds the minimum requirement by 1 vehicle-shift. |
| P | - | Proposed provision of vehicle meets the minimum requirement. |
- Note 4
- | | | |
|-----|---|-----------------------------------------------------------------------------------------------------|
| Yes | - | Proposed use of any additional cleansing vehicle which can enhance the performance of the Services. |
| No | - | No proposal for any additional cleansing vehicle. |
- Note 5
- | | | |
|----|---|---------------------------------------------------|
| VG | - | Proposed plan is highly feasible and practicable. |
| G | - | Proposed plan is more than acceptable. |
| P | - | Proposed plan is acceptable. |
- Note 6
- | | | |
|--------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Marks Scored | - | <p>The mark accorded will depend on the degree of deviation of the proposed wage for cleansing workmen and toilet attendants from the lowest proposed monthly wage for cleansing workmen and toilet attendants respectively in all conforming tenders in this tendering exercise. Separate consideration will be given to the proposed monthly wage for cleansing workmen and toilet attendants. The greater positive deviation will be accorded higher mark and the highest proposed monthly wage will be accorded the highest mark. In referring to the degree of deviation, the relevant tender assessment panel will have regard to</p> <ul style="list-style-type: none"> (i) the highest and lowest proposed monthly wages for cleansing workmen and toilet attendants in all conforming tenders in this tendering exercise; (ii) the percentage of the required minimum number of cleansing workmen (in terms of man-hours) amongst the total required minimum workers (i.e. cleansing workmen and toilet attendants and in terms of man-hours) in this Tender; and (iii) the percentage of the required number of toilet attendants (in terms of man-hours) amongst the total required minimum workers (i.e. cleansing workmen and toilet attendants and in terms of man-hours) in this Tender. |
|--------------|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
- Note 7
- | | | |
|-----|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Yes | - | Proposed allowable daily maximum working hours for cleansing workmen and toilet attendants (as specified by the Tenderer in Schedule 4) are ten (10) hours (net total) or less. |
| No | - | Proposed allowable daily maximum working hours for cleansing workmen and toilet attendants are more than ten (10) hours (net total). |
- Note 8
- | | | |
|-----|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Yes | - | <p>In order to score mark, all the following requirements must be met –</p> <ul style="list-style-type: none"> (i) one (1) or more year(s) of operating any business as employers with production of proof prior to the Tender Closing Date; (ii) no conviction recorded in relation to any contravention under the Employment Ordinance (Cap. 57) or Employees' Compensation Ordinance (Cap. 282) which carries a maximum fine corresponding to Level 5 or higher within the meaning of Schedule 8 to the Criminal Procedure Ordinance (Cap. 221) ; Section 17 I (1) or Section 38A(4) of the Immigration Ordinance (Cap. 115); or Section 89 of the Criminal Procedure Ordinance (Cap. 221) and Section 41 of the Immigration Ordinance (Cap. 115) for all Government service or private business in the preceding 12 months prior to the Tender Closing Date; and (iii) no issue of notice of default recorded in relation to any breach of the wage level / allowable daily maximum working hours / signed written employment agreements undertaking under FEHD's service contracts in the preceding 12 months prior to the Tender Closing Date. |
| No | - | Falling short of any of the above requirements. |

- | | | | |
|---------|-----|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Note 9 | VG | - | Five (5) or more aggregate contract-years of experience in street cleansing services for Government / private organizations in last ten (10) years prior to the Tender Closing Date. |
| | G | - | One (1) to less than five (5) aggregate contract-years of experience in street cleansing services for Government / private organizations in last ten (10) years prior to the Tender Closing Date. |
| | P | - | Period of experience falling short of the above requirements. |
| Note 10 | VG | - | Five (5) or more aggregate contract-years of satisfactory service in street cleansing services for Government / private organizations in last ten (10) years prior to the Tender Closing Date. |
| | G | - | One (1) to less than five (5) aggregate contract-years of satisfactory service in street cleansing services for Government / private organizations in last ten (10) years prior to the Tender Closing Date. |
| | P | - | Period of experience falling short of the above requirements. |
| Note 11 | Yes | - | Production of proof of obtaining the relevant certification such as ISO 9001, 9002 and 14001 which is valid at commencement of contract. |
| | No | - | No such certifications or proofing documents. |