

政府總部  
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運輸科



**Transport and  
Housing Bureau**  
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本局檔號 Our Ref. THB(T) CR /20/5591/92  
來函檔號 Your Ref.

Council Business Division  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road, Central  
Hong Kong  
(Attn.: Ms. Anita SIT)

6 August 2021

Dear Ms. SIT,

**Legislative Council Finance Committee**  
**Follow-up actions in relation to the meeting on 18 June 2021**

At the Finance Committee meeting held on 18 June 2021, Members requested the Government to submit supplementary information on agenda item “Route 11 (section between Yuen Long and North Lantau) – Investigation” to learn more about the tendering exercise of the consultancy. Having consulted the Highways Department which is responsible for the tendering exercise, our reply is set out below.

2. Like the consultancies for other large scale public works projects, “Route 11 (section between Yuen Long and North Lantau) – Investigation Study” adopted the “two-stage two-envelope” approach for the tendering exercise. The marking scheme and the weightings for the selection criteria were formulated according to the Development Bureau Technical Circular (Works) No. 2/2016 (**Enclosure 1**) and the Engineering & Associated Consultants Selection Board (EACSB) Handbook (uploaded to the website of the Civil Engineering and Development Department <https://www.cedd.gov.hk/eng/publications/eacsb-handbook/index.html>), and the procedures for tender invitation and tender assessment complied with the tendering procedure of the Government of the Hong Kong Special Administrative Region and

the Agreement on Government Procurement of the World Trade Organization.

3. The tender assessment panel formed by the Highways Department and some relevant departments would consider the technical proposals submitted by the consultants and assess their technical scores based on the marking scheme and weightings specified in the tender document (i.e., **Enclosure 2** “Guidelines on Preparation of Technical Proposal”). As stipulated in Enclosure 2, the selection criteria for technical proposal include the consultant’s response to the scope, approach to cost effectiveness and sustainability, methodology and work programme, innovation and creativity, staffing, and the consultant’s experience and past performance, with a view to ensuring that the tenderers are capable of undertaking the consultancy work. Afterwards, the Highways Department would calculate the combined scores for each consultant according to paragraph 14 on page 3 of the Development Bureau Technical Circular (Works) No. 2/2016 (**Enclosure 1**) and the weightings for technical score, consultancy fee score and fee quality score stated in the tender document (i.e., paragraph 22 on page 6 of **Enclosure 3** “Guidelines on Preparation of Fee Proposal”), and would recommend the consultant who can be awarded the consultancy for approval of EACSB.

Yours sincerely,



( Kenny C.M. OR )

for Secretary for Transport and Housing

Enclosure:

- Enclosure 1 Development Bureau Technical Circular (Works) No. 2/2016 – “Assessment of Consultants’ Proposals”
- Enclosure 2 Guidelines on Preparation of Technical Proposal
- Enclosure 3 Guidelines on Preparation of Fee Proposal

c.c.

Secretary for Finance Services and the Treasury (Attn.: Mr. Andy WONG)  
Director of Highways (Attn.: Mr. W.H. LUK)

香港特別行政區政府  
The Government of the Hong Kong Special Administrative Region

政府總部  
發展局  
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Ref. : DEVB (PS) 106/43  
Group : 6

9 September 2016

Development Bureau  
**Technical Circular (Works) No. 2/2016**

**Assessment of Consultants' Proposals**

**Scope**

This Circular sets out the key procedures for procuring consultancy agreements under the purview of the Architectural and Associated Consultants Selection Board (AACSB) and the Engineering and Associated Consultants Selection Board (EACSB).

**Effective Date**

2. This Circular takes effect on AACSB/EACSB consultancy agreements for which Technical and Fee Proposals are to be invited on or after **1 December 2016**.

**Effect on Existing Circulars and Handbooks**

3. This Circular replaces Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 6/2013.

4. It shall be read in conjunction with Environment, Transport and Works Bureau TC(W) No. 8/2003, DEVB TC(W) No. 3/2016 and the AACSB/EACSB Handbooks.

## **Key Procedures**

5. The selection of consultants shall normally comprise the following steps:

- establishment of Assessment Panel
- long-listing
- invitation of expression of interest (EOI) and forming of short-list
- invitation of technical and fee proposals and assessment of proposals
- approval and award

### ***(A) Assessment Panel***

6. The procuring department shall establish an Assessment Panel comprising normally government officials only, from the procuring department and other departments, with a view to securing the integrity of the consultants selection exercise. It shall be chaired by an officer ranked preferably at D2, but not lower than D1.

### ***(B) Long-listing***

7. For AACSB Agreements, the list of consultants in the relevant category may normally be taken as a long-list for consultant selection. For EACSB Agreements, the Assessment Panel shall select suitable consultants from all reasonably available sources to form a long-list of usually 15 to 20 consultants.

### ***(C) Invitation of EOI and Forming of Short-list***

8. The invitation of EOI is a standard requirement but may be omitted in accordance with Financial Circular No. 4/2013.

9. Before the invitation of EOI (if to be carried out), the Assessment Panel shall determine the selection criteria for screening the long-list for the forming of a short-list. The guidelines for shortlisting are given at **Appendix A**. The selection criteria to be used shall be made known in the invitation letter for EOI. The AACSB/EACSB Handbooks will provide a sample of the invitation letter for reference.

10. In addition to the invitation of EOI from the long-listed consultants, a notice of inviting EOI shall normally be posted on the procuring department's website so that other consultants have the chance of making an application.

11. To guard against lengthy EOI submissions, the pages of EOI submissions shall normally be limited to the maximum of 6 (or 4 for less complex and technically straight-forward assignments if considered appropriate by the Assessment Panel) in A4 size.

12. The Assessment Panel shall assess all the EOIs received and recommend for approval of the AACSB/EACSB (or the relevant Departmental Consultant Selection Committee (DCSC)) a short-list of normally 4 suitable consultants based on the outcome of the assessment.

***(D) Invitation of Technical and Fee Proposals and Assessment of Proposals***

13. After a short-list is approved by the AACSB/EACSB (or the relevant DCSC), or where the EOI stage is not used, the procuring department will proceed to the stage of inviting technical and fee proposals and assessment of proposals. The method of assessing the consultants' submissions, including the particulars to be submitted and the Marking Scheme, shall be set out in the invitation documents. The AACSB/EACSB Handbooks will detail the procedures for the invitation of proposals which shall be submitted in two separate envelopes, i.e. a technical proposal envelope and a separate fee envelope, to the designated locations.

**(a) Assessment Methodology**

14. The Assessment Panel shall assess technical and fee proposals on the basis of a combined score, which shall be approved by the AACSB/EACSB (or the relevant DCSC), in terms of technical, consultancy fee and fee quality as follows:

$$\text{Combined Score} = \text{Weighted Technical Score} + \text{Weighted Consultancy Fee Score} + \text{Fee Quality Score}$$

where :

$$\begin{aligned} \text{Weighted Technical Score} &= \text{Specified weighting} \times \frac{\text{Technical score of the bid being assessed}}{\text{Highest technical score among all conforming bids}} \\ \text{Weighted Consultancy Fee Score} &= \text{Specified weighting} \times \frac{\text{Lowest consultancy fee}^1 \text{ among all conforming bids}}{\text{Consultancy fee}^1 \text{ of the bid being assessed}} \\ \text{Fee Quality}^2 \text{ Score} &= \text{Sliding Scale of Factor for Marking Fee Quality} \end{aligned}$$

<sup>1</sup> Please refer to paragraphs 20 to 21 for calculation of consultancy fee.

<sup>2</sup> Please refer to paragraph 25 for calculation of Fee Quality Score.

15. The following table should be taken as a reference in determining the specified weightings to be used for the Weighted Technical Score and the Weighted Consultancy Fee Score which together shall total 90%. The maximum Fee Quality Score is 10% thus making up a maximum Combined Score of 100%.

Agreement Type	Weightings for Different Complexity of Projects for Weighted Technical Score/ Weighted Consultancy Fee Score (%)		
	Straight-forward	Normal	Complex
Feasibility (FS) or Investigation (I)	63/27	72/18	72/18
Design & Construction (D&C) or Investigation, Design & Construction (IDC)	54/36	63/27	72/18

(b) Technical Proposals

16. The Assessment Panel shall prepare a Marking Scheme, which shall be approved by the AACSB/EACSB (or the relevant DCSC), for the assessment of technical proposals. The guidelines for preparing the Marking Scheme are given at **Appendix B**.

17. Since October 2013, we have promulgated a structured approach for the assessment of the attribute of “adequacy of professional and technical manpower input” which is a mandatory sub-section under the section of Staffing in the Marking Scheme. The method to be used for marking this attribute is set out at **Appendix C**.

18. The Assessment Panel shall assess all the technical proposals based on the approved Marking Scheme. The perceived strengths and weaknesses of each technical proposal discussed by the Assessment Panel should be recorded in the meeting minutes as far as possible. If the Assessment Panel considers that the rating of any section/sub-section, in particular the adequacy of professional and technical manpower input, is unacceptably low, it should further consider carefully the suitability of the consultant in undertaking the assignment. If the consultant is considered to be unsuitable, the Assessment Panel shall make a recommendation to the AACSB/EACSB (or the relevant DCSC) whether the proposal should be rejected without opening the fee envelope.

19. Only after the assessment of all the technical proposals should the Assessment Panel request the opening of the fee proposals concerned for further assessment.

(c) Fee Proposals

(i) *Consultancy Fee*

20. The consultants shall be asked to tender in the fee proposals a lump sum for completing the assignment, all-inclusive time charge rates for various staff categories for use in valuing additional Services, and if applicable, on-cost rates for various ranks of the notional resident site staff establishment.

21. For the purpose of assessment of fee proposals (i.e. Weighted Consultancy Fee Score), a “consultancy fee” shall be calculated for each fee proposal by summing (a) the lump sum fee (comprising staff costs and non-staff costs), (b) the adjusted notional value for additional Services, and (c) if applicable, the notional resident site staff on-cost charges. The AACSB/EACSB will set out the details of the calculation of (a) to (c) above.

(ii) *Specified Percentage Range Requirement*

22. It is a policy to impose a linkage between the “staff rates in lump sum fee” and the “staff rates for additional Services” so that the percentage differences between the two sets of staff rates are not unreasonable and should not exceed a specified percentage range (SPR).

23. Whilst the “staff rates for additional Services” are those rates entered by the consultants in the fee proposals, the “staff rates in lump sum fee” shall entail the consultants’ own calculation also in the fee proposals. The “staff rates for additional Services” and the “staff rates in lump sum fee” are normally expressed in the unit of man-hour and man-week respectively.

24. The detailed method of comparing the two sets of rates against the SPR is set out at **Appendix D**. For all AACSB/EACSB Agreements, an SPR of -10% to +40% shall be adopted. If the comparison reveals exceedance of the SPR for any group of staff rates as explained at **Appendix D**, the consultant’s submission shall not be considered further. This is an important requirement resulting in rejection of

the consultant's submission if the SPR is not met. The procuring department should include a clear advice in the letter for inviting technical and fee proposals to draw the attention of consultants.

*(iii) Fee Quality Score*

25. The Fee Quality Score is an essential component of the Combined Score with the objective of suppressing exceptionally low charge rates. The Fee Quality Score, on a sliding scale of 0 to 10 as shown in the table below, shall be determined based on the calculated Factor for Marking Fee Quality as defined in the following formula.

Factor for Marking Fee Quality =

$$\frac{\text{Lump sum fee of the bid}}{\text{Median of lump sum fees of all conforming bids}^+ \text{ (including the pre-tender estimate)}} \times \frac{1}{M_x}$$

whereas  $M_x$  is

$$\frac{\text{Weighted total manpower input of the bid}}{\text{Median weighted total manpower input of all conforming bids}^+ \text{ (including the pre-tender estimate)}}$$

+ For the purpose of determining the medians, those bids not proceeded for fee opening or those with any staff rate exceeding the SPR (i.e. non-conforming bids) shall not be considered.

The Fee Quality Score shall then be determined as follows:

Factor for Marking Fee Quality	Fee Quality Score
$\leq 0.5$	0
$> 0.5$ and $< 0.8$	On sliding scale between 0 and 10
$\geq 0.8$	10

A worked example for ascertaining the Fee Quality Score is given at **Appendix E**.

*(iv) Further Evaluation of Reasonableness of Recommended Bid*

26. A further evaluation of reasonableness of manpower input, lump sum fee, total fee, staff rates, on-cost rates and non-staff charges of the recommended bid in comparison with the pre-tender estimate (PTE), other bids, other recently awarded consultancies and appropriate information shall be conducted. If the recommended



bid is suspected to be unreasonably low, the procuring department should make enquiry to the bidder concerned, seeking justifications with positive proof for the unreasonably low bid, so as to find out whether the bidder is capable of fulfilling the terms of the consultancy before making recommendation.

***(E) Approval and Award***

27. Following the assessment of technical and fee proposals, a submission shall be made to the AACSB/EACSB (or the relevant DCSC) with a recommendation for approval for the award of the consultancy agreement. Unless there are other considerations which shall be justified by the Assessment Panel, the bid with the highest Combined Score should normally be recommended for acceptance.

**AACSB/EASCB Handbook**

28. The AACSB/EACSB Handbooks will be updated to incorporate the contents of this Circular.

**Enquires**

29. Enquiries on this Circular should be addressed to the Chief Assistant Secretary (Works)7.

**( C K HON )**  
**Permanent Secretary for Development (Works)**

**Guidelines for Shortlisting**

The selection criteria for screening the long-list into a short-list shall be prepared. The following is a guide for drawing up the criteria:-

Selection Criterion	Percentage mark to be allocated	
	All consultancies other than AACSB non-design-focused disciplines (i.e. quantity surveying)	AACSB non-design-focused disciplines (i.e. quantity surveying)
1. Appreciation of the key requirements and constraints/risks (Note 2)	5-10%	5-10%
2. Approach and strategy to meet the requirements of the assignment (department may include sub-criteria where appropriate, to cover the consultants' approach and strategy on innovation, creativity, mechanisation, prefabrication, other productivity enhancements, cost reduction, expenditure leveling, etc.) (Note 3)	20-40%	10-25%
3. Previous relevant experience both in Hong Kong and elsewhere	5-10%	5-10%
4. Knowledge, experience and capability of key staff	35-45%	35-45%
5. Past performance of the consultant (Note 4)	10-20%	10-20%
6. Past performance of sub-consultants (Note 4)	0-10%	0-10%

Notes:

- 1) For each selection criterion for shortlisting, each Assessment Panel Member should grade the particular aspect as either "very good", "good", "fair" or "poor". The

marks corresponding to these grades are:

Grade	Marks (%)
Very Good (VG)	$1.0 \times Y$
Good (G)	$0.8 \times Y$
Fair (F)	$0.6 \times Y$
Poor (P)	$0.3 \times Y$

where Y is the percentage mark allocated to the criterion.

- 2) Criterion (1) shall be assessed based on the consultants' appreciation of key requirements and constraints/risks additional to those set out in the Brief. If no additional appreciation is included, a "fair" grading at most should be given.
- 3) The consultants' detailed proposals for Criterion (2) are not expected and shall not be assessed in the shortlisting stage but the consultants are encouraged to indicate their broad approach and strategy, particularly on innovative ideas, productivity enhancements, cost savings which may demonstrate their edge in undertaking the assignment.
- 4) The following method shall be used in the assessment of past performance of the consultant and sub-consultants:
  - (a) Assessment of past performance of a consultant and his sub-consultants (if applicable) should be carried out separately, based on their updated Past Performance Rating (PPR) in the Consultants' Performance Information System (CNPIS). Details of PPR shall be referred to DEVB TC(W) No. 3/2016. For any unincorporated joint venture making a submission, his PPR shall be taken as the average of PPRs of all his participants having a PPR (or the weighted average of PPRs of all his participants having a PPR if approved by EACSB/AACSB/relevant DCSC). The latest PPR issued by DEVB on or before the due date for submission of the expression of interest shall be used for the marking of the past performance of the consultant and sub-consultants in the shortlisting stage.
  - (b) Those consultants proposing no sub-consultant should be assessed under the criterion "past performance of sub-consultants" as if they were sub-consultants to themselves.
  - (c) Where a consultant proposes more than one sub-consultant, the PPR shall be taken as the average of PPRs of those sub-consultants who have a PPR.
  - (d) Where none of the proposed sub-consultants of a consultant has a PPR, the consultant should be assessed under the criterion "past performance of sub-consultants" as if he was a sub-consultant to himself.
  - (e) Where a proposed sub-consultant is suspended from bidding under a category relevant to his work under the consultancy concerned, the weighted mark for such sub-consultant shall be zero.

- (f) The following formula shall be used to calculate the mark for “past performance of the consultant” (same for sub-consultants):

$$\text{Mark assigned to consultant "i"} = \text{Mark allocated for the criterion of past performance} \times \frac{R_i}{R_{\text{highest}}}$$

where: (i)  $R_i$  is the current PPR of consultant "i".

(ii)  $R_{\text{highest}}$  is the highest current PPR among all of the consultants involved in the exercise.

(iii) In case there is only one consultant in the exercise having a PPR, his mark in the criterion of past performance shall be calculated by:

$$\text{Mark allocated for the criterion of past performance} \times \frac{\text{PPR of the consultant}}{100}$$

and the calculated mark shall then be taken as a “cap” for all the other consultants' marks calculated using the method in the Note 4(g) below.

- (g) For a consultant having less than 4 performance scores under the relevant consultants selection board concerned in the past three years, his PPR shall not be considered. The “past performance of the consultant” sub-section shall then be marked based on the consultant’s weighted average percentage mark (not the grade) in the remaining sections excluding the “past performance of sub-consultants” sub-section if any, subject to the cap derived in Note 4(f)(iii) above for the case with only one consultant having a PPR if applicable.
- (h) A consultant who is under suspension from bidding shall not be shortlisted for submission of technical and fee proposals for further consultancy assignments until the suspension is lifted. Bids already submitted by the consultant in response to invitations before the suspension is imposed should continue to be assessed subject to further consideration as given in Note 4(i) below.
- (i) For a consultant who is suspended from bidding after he has submitted expression of interest or a consultant, although not suspended from bidding but serious default or non-performance of him (such as those mentioned in paragraph 22 of Annex I of DEVB TC(W) No. 3/2016) has been made known to the Assessment Panel, the Assessment Panel shall carefully consider whether the proposal of such consultant should be further processed. If the Assessment Panel decides not to further process the proposal of such consultant, the Assessment Panel should seek endorsement from the AACSB/EACSB (or the relevant DCSC) on such decision before continuing with the consultant selection exercise.

### Guidelines for Preparation of Marking Scheme

#### (A) Requirements of Technical Proposals

The invitation documents shall clearly spell out the requirements of technical proposals. The structure of which should preferably follow the Marking Scheme for easy assessment. Based on past experience, the technical proposals should normally be limited to 30 pages (or less for less complex and technically straight-forward assignments if considered appropriate by the Assessment Panel) in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae. The appendices attached to the technical proposals (e.g. 30 pages, or less for less complex and technically straight-forward assignments in A4 size if considered appropriate by the Assessment Panel, except manning schedule in A3 size), the figures/drawings/illustrations (e.g. 30 pages, or less for less complex and technically straight-forward assignments in A3 size if considered appropriate by the Assessment Panel) and the curriculum vitae (e.g. 2 pages per staff in A4 size) should also be limited to a specified reasonable number of pages.

The AACSB/EACSB Handbooks should provide sample guidelines for consultants to prepare the technical proposals which shall be modified to suit the assignments. The guidelines should be issued with the invitation documents to all the bidders.

The technical proposals shall normally be divided into sections and sub-sections under main headings as shown below for reference.

#### 1. CONSULTANT'S EXPERIENCE

Relevant experience and knowledge

#### 2. RESPONSE TO THE BRIEF

To include sub-sections on –

- (a) understanding of objectives;
- (b) identification of key issues;
- (c) appreciation of project constraints/risks and special requirements; and
- (d) presentation of design approach and ideas (in regard to aspects such as general arrangement, layout, functionality, green measures, heritage conservation, aesthetics and overall appearance where appropriate).

### **3. APPROACH TO COST-EFFECTIVENESS AND SUSTAINABILITY**

To include sub-sections on –

- (a) examples and discussion of past projects to demonstrate the consultant's will, ability and physical measures to produce cost-effective, energy efficient and environmentally friendly solutions which are applicable to the project; and
- (b) approach to achieve cost-effectiveness (including life-cycle costs vis-à-vis initial project cost), energy efficiency and environmental friendliness on this project.

### **4. METHODOLOGY AND WORK PROGRAMME**

To include sub-sections on –

- (a) technical approach to enable delivery of the project practicably having regard to the reasonable time required and other technical constraints vis-à-vis the project requirements (including construction methods to facilitate mechanization, prefabrication and other productivity enhancements where appropriate, especially where they can reduce manpower demands of trades of labour shortage);
- (b) health, safety and environmental issues to be addressed in delivering the project;
- (c) work programme with highlights to demonstrate ways to expedite the programme where practicable, to deal with programme constraints and interfaces, and to level and reduce the resources peak; and
- (d) arrangements for contract management and site supervision including a proposed system of monitoring site supervision.

### **5. INNOVATION AND CREATIVITY**

To include sub-sections on –

- (a) particular design aspects/issues/requirements (as identified and specified by the department); and
- (b) particular construction aspects/issues/requirements (as identified and specified by the department).

### **6. STAFFING**

To include sub-sections on –

- (a) staff organisation chart with highlights on the efficiency and effectiveness of the organisation;
- (b) relevant experience (including design constructability and risk management where applicable) and qualifications of key staff;
- (c) responsibilities and degree of involvement of key staff; and
- (d) adequacy of professional and technical manpower input.

## 7. APPENDICES

- (a) Relevant projects completed in the past 5 years;
- (b) Current projects, listing total and outstanding cost and duration and staff expertise and deployment;
- (c) Manning schedule (without any indication of cost); and
- (d) Brief curriculum vitae of key staff;

### (B) Preparation of Marking Scheme

Reference shall be made to the following guidelines when preparing a Marking Scheme for the technical proposals:

- (1) The marks to be allocated to each main section of the technical proposals shall be within the range indicated below and shall total 100%:

Section  (Each Section to be expanded into Sub-sections with a percentage mark to be allocated to each Sub-section which should be made known to the bidders)	Percentage mark to be allocated (%) [Percentage mark (%) in square brackets is to be adopted if EOI is not used]		
	EACSB	AACSB	
		Design-focused disciplines	Non-design-focused disciplines (i.e. quantity surveying)
1. Consultant's Experience	0 – 5 * [5 – 10 *]	0 – 5 [5 – 10]	0 – 5 [5 – 10]

Section  (Each Section to be expanded into Sub-sections with a percentage mark to be allocated to each Sub-section which should be made known to the bidders)	Percentage mark to be allocated (%) [Percentage mark (%) in square brackets is to be adopted if EOI is not used]		
	EACSB	AACSB	
		Design-focused disciplines	Non-design-focused disciplines (i.e. quantity surveying)
2. Response to the Brief	5 – 15	5 – 15	5 – 15
3. Approach to Cost-effectiveness and Sustainability	10 – 25	10 – 25	5 – 20
4. Methodology and Work Programme	20 – 30	20 – 30	5 – 10
5. Innovation and Creativity	5 – 15	5 – 15	NA
6. Staffing	25 – 35	25 – 35	35 – 50
7. Past Performance	10 – 25	10 – 25	10 – 30
Past Performance of the consultant	10 – 20	10 – 20	10 – 20
Past Performance of sub-consultants	0 – 10	0 – 10	0 – 10

\* For major tunnel/cavern projects with difficult geological and ground conditions, or major projects with high risks of scope changes and project complexities, the top mark of “10” or “5”, whichever is appropriate, could be adopted so as to assign a greater weight for consultants' experience and knowledge on geotechnical conditions and risk management.

- (2) Each Assessment Panel Member shall grade each section/sub-section, except the “past performance” section/sub-sections and the “adequacy of professional and technical manpower input” sub-section of the “Staffing” section, as either “very good”, “good”, “fair” or “poor”. The marks corresponding to these grades are:

Grade	Marks (%)
Very Good (VG)	1.0 × Y
Good (G)	0.8 × Y
Fair (F)	0.6 × Y
Poor (P)	0.3 × Y

where Y is the percentage mark allocated to the criterion.



If the Brief or other relevant requirements are just fulfilled, a “fair” grading at most should normally be given.

Where different weightings are assigned to the marks of Assessment Panel Members due to different relative weights of their respective disciplines or any other considerations, those weightings shall be pre-determined and included in the proposed Marking Scheme for approval of the AACSB/EACSB (or the relevant DCSC).

The weighted marks of Assessment Panel Members shall then be accumulated to produce the final marks for each sub-section. Summation of all sub-section final marks will produce a total mark for the technical proposal. Normally, no passing mark shall need to be set for each section/sub-section or the whole of the technical proposal.

- (3) The method of assessing the “adequacy of professional and technical manpower input” sub-section of the “Staffing” section is set out in **Appendix C**. This sub-section should carry:
  - (a) 7–12% of the overall marks for EACSB consultancies or AACSB consultancies in design-focused disciplines;
  - (b) 10–15% of the overall marks for AACSB consultancies in non-design-focused disciplines.
- (4) The following method shall be used in the assessment of past performance of the consultant and sub-consultants:
  - (a) Assessment of past performance of a consultant and his sub-consultants (if applicable) should be carried out separately, based on their updated Past Performance Rating (PPR) in the CNPIS. Details of PPR shall be referred to DEVB TC(W) No. 3/2016. For any unincorporated joint venture making a submission, his PPR shall be taken as the average of PPRs of all his participants having a PPR (or the weighted average of PPRs of all his participants having a PPR if approved by EACSB/AACSB/relevant DCSC). The latest PPR issued by DEVB on or before the due date for submission of the technical and fee proposals shall be used for the marking of the past performance of the consultant and sub-consultants in the nomination stage.
  - (b) Those consultants proposing no sub-consultant should be assessed under the criterion “past performance of sub-consultants” as if they were sub-consultants to themselves.
  - (c) Where a consultant proposes more than one sub-consultant, the PPR shall be taken as the average of PPRs of those sub-consultants who have a PPR.

- (d) Where none of the proposed sub-consultants of a consultant has a PPR, the consultant should be assessed under the criterion “past performance of sub-consultants” as if he was a sub-consultant to himself.
- (e) Where a proposed sub-consultant is suspended from bidding under a category relevant to his work under the consultancy concerned, the weighted mark for such sub-consultant shall be zero.
- (f) The following formula shall be used to calculate the mark for “past performance of the consultant” (same for sub-consultants):

$$\text{Mark assigned to consultant "i"} = \text{Mark allocated for the criterion of past performance} \times \frac{R_i}{R_{\text{highest}}}$$

where: (i)  $R_i$  is the current PPR of consultant "i".

- (ii)  $R_{\text{highest}}$  is the highest current PPR among all of the consultants involved in the exercise.
- (iii) In case there is only one consultant in the exercise having a PPR, his mark in the criterion of past performance shall be calculated by:

$$\text{Mark allocated for the criterion of past performance} \times \frac{\text{PPR of the consultant}}{100}$$

and the calculated mark shall then be taken as a “cap” for all the other consultants' marks calculated using the method in the item (B)(4)(g) below.

- (g) For a consultant having less than 4 performance scores under the relevant consultants selection board concerned in the past three years, his PPR shall not be considered. The “past performance of the consultant” sub-section shall then be marked based on the consultant’s weighted average percentage mark (not the grade) in the remaining sections excluding the “past performance of sub-consultants” sub-section if any, subject to the cap derived in item (B)(4)(f)(iii) above for the case with only one consultant having a PPR if applicable.
- (h) A consultant who is under suspension from bidding shall not be shortlisted for submission of technical and fee proposals for further consultancy assignments until the suspension is lifted. Bids already submitted by the consultant in response to invitations before the suspension is imposed should continue to be assessed subject to further consideration as given in item (B)(4)(i) below.

- (i) For a consultant who is suspended from bidding after he has submitted technical and fee proposals or a consultant, although not suspended from bidding but serious default or non-performance of him (such as those mentioned in paragraph 22 of Annex I of DEVB TC(W) No. 3/2016) has been made known to the Assessment Panel, the Assessment Panel shall carefully consider whether the proposals of such consultant should be further processed. If the Assessment Panel decides not to further process the bid of such consultant, the Assessment Panel should seek endorsement from the AACSB/EACSB (or the relevant DCSC) on such decision before continuing with the consultant selection exercise.
- (5) The Marking Scheme shall spell out the deduction of marks for exceedance of the specified number of pages of technical proposals, appendices, figures/drawings/illustrations and curriculum vitae and non-compliance with the specified format, such as font size, margin, paper size, etc. Normally, 1 mark per page shall be deducted for exceedance of the page limits and 1 mark for non-compliance with the format.

**Assessment of Adequacy of Professional and Technical Manpower Input**

The technical proposal will normally contain a “Staffing” section which covers the attributes of staff organisation, relevant experience and qualifications of key staff, responsibilities and degree of involvement of key staff, and adequacy of professional and technical manpower input.

Since October 2013, we have introduced a structured approach for the assessment of the “adequacy of professional and technical manpower input” attribute by comparing the weighted average manpower input of each consultant with the medians’ weighted average manpower input of all the bidders including the PTE of the procuring department.

**Categories of Staff**

In connection with the use of the structured approach for assessment, we have promulgated a set of standardized staff categories. The minimum academic/professional qualifications and experience requirements corresponding to each staff category are updated in the table below for the reference of the procuring department and appropriate incorporation, with modifications deemed necessary, into the invitation documents for technical and fee proposals as a means of defining these staff categories. Normally, this information will be included in the Schedule of Fees.

Staff category	Minimum academic / professional qualifications	Minimum experience requirement
Partners/ Directors	Corporate member of an appropriate professional institution or equivalent; and  A partner, or a company director who is a member of the Board with voting power at Board meetings	15 years relevant post-qualification experience (applicable to professional membership only)

Chief Professional	Corporate member of an appropriate professional institution or equivalent	12 years relevant post-qualification experience
	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	17 years relevant post-qualification experience
Senior Professional	Corporate member of an appropriate professional institution or equivalent	5 years relevant post-qualification experience
	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	10 years relevant post-qualification experience
Professional	Corporate member of an appropriate professional institution or equivalent	No additional requirement
	University degree or equivalent in an appropriate discipline for specialist trades, such as geology, transport, environmental science or other trades where appropriate professional institutions are not commonly in existence	5 years relevant post-qualification experience
Assistant Professional	University degree or equivalent in an appropriate discipline	No additional requirement
Technical	Diploma or Higher Certificate or equivalent in an appropriate discipline	No additional requirement

### Assessment Method

As part of the technical proposal, consultants shall be required to submit their manpower input under each of the above-mentioned six staff categories, viz. partners/directors (P/D), chief professional (CP), senior professional (SP), professional

(P), assistant professional (AP) and technical (T) staff.

Pursuant to the assessment methodology, it is assumed that the relative significance of the staff categories toward satisfactory performance of the assignment is in the ratio of 6:3:1 (which may be substituted by another suitable ratio as may be determined by the Assessment Panel) with respect to the categories of three staff groups (viz. “P/D and CP”, “SP and P”, and “AP and T”). The Assessment Panel shall take the following steps in determining the mark to be given for each technical proposal:

1. Prior to the invitation of technical and fee proposals, the procuring department shall prepare a PTE of the manpower input for each staff category. Based on the PTE, the Assessment Panel shall calculate the weighted total manpower input of PTE using the ratio of 6:3:1 or another appropriate ratio as determined by the Assessment Panel, usually in the unit of man-weeks. If non-staff charges are expected to be included in the lump sum fee, the procuring department should itemize them in the fee proposal proforma and exclude them from the manpower input estimation. The procuring department should clarify with the bidders for any anticipated non-staff charges in the pre-submission meeting as far as possible.
2. Similarly, for each technical proposal (non-conforming bid(s) excluded), the Assessment Panel shall calculate its weighted total manpower input using the ratio of 6:3:1 or another appropriate ratio as determined by the Assessment Panel.
3. The Assessment Panel shall then determine the median weighted total manpower input which is equal to the median<sup>1</sup> of the weighted total manpower inputs of all conforming bids and the PTE based on the results of steps 1 and 2.
4. The marking of the “adequacy of professional and technical manpower input” attribute for each technical proposal shall be determined as follows:

Weighted total manpower input of the proposal as compared to the median weighted total manpower input ( $M_x$ )	Proportion of full mark to be given
$\geq 1.0$	1.0
$> 0.6$ and $< 1.0$	On sliding scale between 0.6 and 1.0
$\leq 0.6$	0.3

There may be situations where the consultant’s proposed staff claimed to be in a particular staff category do not meet the minimum academic/professional qualifications and/or minimum experience requirements. If found, the procuring department should state the identified discrepancy and seek clarifications from the

<sup>1</sup> In statistical terms, the median is the value dividing the data into two groups, one above the value and the other below. It is therefore taken as the middle value for odd number of data, or the average of the middle two values for even number of data for all relevant assessments in this Circular.

consultant of factual information in writing but should normally not allow the staff and/or the staff category to be changed to avoid the consultant having the opportunity to improve his submission unless LAD(W)'s advice has been sought for special circumstances. When informing the consultant of the identified discrepancy, the procuring department should include the following:

“In your reply, you are only allowed to provide factual information about the staff and their qualifications and experience and are not allowed to change the proposed staff or change the staff from one staff category to another staff category.

For the avoidance of doubt, in the performance of the assignment, if awarded to you, you are bound to provide the manpower input of the staff in the relevant staff categories as included in your proposal except that if there are any proposed staff not meeting the requirements of minimum academic/professional qualifications and/or minimum experience, you are deemed to agree to replace those staff at your cost with other staff not lower than the qualifications and experience of the proposed staff and meeting the requirements of the minimum qualifications and experience. The replacement shall be subject to the approval procedures as if there is a change of core personnel under the assignment.”

Where the information, together with clarifications from the consultant (if any), reveals non-compliance with the minimum academic/professional qualifications and/or minimum experience for one or more than one staff member, the mark to be given for the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the following as a guide:

Degree of non-compliance in the opinion of the Assessment Panel	Mark shall be multiplied by (exact multiplier to be decided by the Panel)
Minor	0.95 to 0.9
Medium	0.9 to 0.8
Serious	Below 0.8

The adjustment shall not prevent the Assessment Panel from taking into account the discrepancy information in marking other aspects of the technical proposal.

The manpower input of a consultant is normally, prima facie, unacceptably low if the proportion of full mark given for the “adequacy of professional and technical manpower input” attribute is less than 0.6.

**Checking of Compliance with Specified Percentage Range**

1. Checking shall be conducted for the following three staff groups

- Partners/Directors and Chief Professional            P/D and CP
- Senior Professional and Professional                SP and P
- Assistant Professional and Technical                AP and T

2. “Staff rate in lump sum fee” for a staff group shall be calculated as:

$$\frac{\text{Total fee of the staff group}}{\text{Total manpower input of the staff group}}$$

For example, the staff rate in lump sum fee for the staff group “P/D and CP” shall be calculated as:

$$\frac{\text{Total fee}_{P/D} + \text{Total fee}_{CP}}{\text{Total manpower input}_{P/D} + \text{Total manpower input}_{CP}}$$

3. “Staff rate for additional Services (AS)” of a staff group shall be calculated as:

$$\frac{\sum(\text{Staff rate for AS} \times \text{corresponding notional man-hour}) \text{ of the staff group}}{\sum(\text{Notional man-hour}) \text{ of the staff group}}$$

For example, the staff rate for AS for the staff group “P/D and CP” shall be calculated as:

$$\frac{\text{Rate for AS}_{P/D} \times \text{Notional man-hour}_{P/D} + \text{Rate for AS}_{CP} \times \text{Notional man-hour}_{CP}}{\text{Notional man-hour}_{P/D} + \text{Notional man-hour}_{CP}}$$

4. A “% Difference” shall be calculated for each staff group according to the following formula:

$$\% \text{ Difference} = \frac{\text{Staff rate for AS} - \text{Staff rate in lump sum fee}}{\text{Staff rate for AS}}$$



Any bid with “% Difference” for any staff group exceeding the Specified Percentage Range (SPR) of -10% to 40% shall **not** be further considered. If the total fee and total manpower input of a particular staff group are both zero, the requirement of SPR is not applicable to this staff group. However, the procuring department should further evaluate the reasonableness of the concerned manpower input and staff rates of this staff group in accordance with paragraph 26 of this Circular.

Note: If conversion from man-week to man-hour is required, a conversion factor of 40 hours/week is normally adopted.

**A Worked Example for Ascertaining Fee Quality Score**

Technical and fee proposals have been received from four bidders W, X, Y and Z with details as follows –

**Table 1:**

Bidder	Consultancy Fees (\$ million)				
	Lump Sum Fee [A] = [B] + [C]		Adjusted Notional Values for Additional Services [D]	Notional Resident Site Staff On-cost Charges [E]	Total Fee [F] = [A] + [D] + [E]
	Staff Costs [B]	Non-staff Costs [C]			
W	20.57	0	2.53	5.23	28.33
X	30.15	0	3.06	7.23	40.44
Y	16.37	0	1.90	4.80	23.07
Z	31.11	0	2.94	6.53	40.58

The steps for determining the Fee Quality Score for each bidder are as follows:

- **Step 1** : Calculate the weighted total manpower input of the technical proposal for each bidder using the ratio for three staff groups (viz. “P/D and CP”, “SP and P”, and “AP and T”) as determined by the Assessment Panel (a ratio of 6:3:1 assumed in this worked example) by means of the assessment method at **Appendix C** of this Circular, and insert in Table 2 below.
- **Step 2** : Calculate  $M_x$  for each bidder, being the weighted total manpower input of the concerned tenderer divided by the median weighted total manpower input which is equal to the median of the weight total manpower inputs of all conforming bids (including the PTE) using the formula:

$$\frac{\text{weighted total manpower input of the bidder}}{\text{median weighted total manpower input of all conforming bids (including the PTE)}}$$

- **Step 3** : Insert lump sum fee for each bidder into Table 2 below.
- **Step 4** : Calculate the ratio of the lump sum fee to the median of lump sum fees of

all conforming bids (including the PTE), for each bidder.

- **Step 5** : Calculate a Factor for Marking Fee Quality Score as:

$$\frac{\text{lump sum fee of the bidder}}{\text{median of lump sum fees of all conforming bids (including the PTE)}} \times \frac{1}{M_x}$$

- **Step 6** : Determine the Fee Quality Score as follows:

Factor for Marking Fee Quality	Fee Quality Score
$\leq 0.5$	0
$> 0.5$ and $< 0.8$	On sliding scale between 0 and 10
$\geq 0.8$	10

The calculated figures for the above steps for each bidder are tabulated in Table 2 below.

**Table 2:**

<b>Bidder</b>	<b>Weighted Total Manpower Input (Man-weeks) [G]</b>	<b><math>M_x</math> [H]= [G] / Median of [G]</b>	<b>Lump Sum Fee (\$million) [I]</b>	<b>Ratio of Lump Sum Fee to Median of Lump Sum Fees [J]=[I] / Median of [I]</b>	<b>Factor for Marking Fee Quality [K]=[J]/[H]</b>	<b>Fee Quality Score</b>
W	640.7	0.8712	20.57	0.6823	0.7831	9.44
X	674.0	0.9165	30.15	1.0000	1.0911	10.00
Y	735.4	1.0000	16.37	0.5430	0.5430	1.43
Z	824.6	1.1213	31.11	1.0318	0.9202	10.00
PTE	826.0	-	30.60	-	-	-
Median	735.4	-	30.15	-	-	-

The lump sum fee of a consultant is normally, prima facie, unreasonably low if both ratios of his lump sum fee / lump sum fee of the PTE and his lump sum fee / median of lump sum fees of all conforming bids (including the PTE) are less than 0.6.

## **Guidelines on Preparation of Technical Proposal**

### **(A) Requirements of Technical Proposal**

The consultant shall submit (i) the Contract Data Part two (Section 1); (ii) the technical proposal; and (iii) other technical information, if any, as specified in the Invitation Letter for Submission of Technical and Fee Proposals, in the envelope for technical proposal. Completion of the Contract Data Part two (Section 1) in full is essential both to constitute a valid tender (subject to other provisions in the invitation documents) and to eventually create a complete contract. The items (i) and (iii) above shall not be counted towards the pages of the technical proposal.

The consultant is encouraged to use electronic format in submitting its proposal. The consultant is nevertheless free to choose the format (i.e. paper or CD-ROM). The technical proposal should be limited to **30** pages in A4 size, excluding attachments of appendices, figures/drawings and curriculum vitae, with a minimum font size of 12 points Times New Roman or equivalent. The appendices attached to the technical proposal should be limited to **30** pages in A4 size (excluding pages of manning schedule in A3 size, the table indicating the listed and unlisted Subcontractors (The term "Subcontractor" in this guideline shall, for the purposes of construing Development Bureau (DEVB) Technical Circular (Works) TC(W) No. 2/2016, DEVB TC(W) No. 5/2018 and Engineering and Associated Consultants Selection Board (EACSB) Handbook as amended from time to time, bear the same meaning as "Sub-consultant" and "sub-consultant" in those documents.) to be employed and the subcontracting service undertaken, any letter of association and any declarations/confirmations required in A4 size, the figures/drawings/illustrations limited to **30** pages in A3 size and the curriculum vitae of all key staff (as defined in paragraph 3.3 of the Guidelines for the Implementation of the New Policy on Selection, Appointment and Management of Consultants under the purview of the EACSB under DEVB TC(W) No. 5/2018) proposed for the *service* limited to **2** pages per staff in A4 size. The technical proposal including the attachments shall be inexpensively bound, printed on both sides.

For exceedance of the specified number of pages of technical proposal, appendices, figures/drawings/ illustrations and curriculum vitae in the second paragraph above, all the exceeded pages shall be discarded prior to the assessment. For non-compliance with the specified format in the second paragraph above, such as font size, paper size, double-sided printing, etc., mark(s) shall be deducted from the overall technical score (see Note (5) in Part B).

The technical proposal shall be divided into sections and sub-sections under main headings as shown below.

#### **1. CONSULTANT'S EXPERIENCE**

Number of relevant consultancy assignments conducted by the consultant, which are related to each of the following sub-sections –

- 1.1. design and construction of suspension bridges;
- 1.2. design and construction of road tunnels in Hong Kong;
- 1.3. development of traffic control surveillance systems and central monitoring and control systems for major road infrastructure projects; and

- 1.4. transport planning studies for major road infrastructure projects involving development and application of strategic transport models and local area traffic models.

## **2. RESPONSE TO THE SCOPE**

To include sub-sections on –

- 2.1 understanding of objectives and identification of key issues/problems in the assignment, including but not limited to project constraints/risks, special requirements, programme and implementation strategy, etc.; and
- 2.2 suggestions of practicable solutions to address the key issues/problems identified, including presentation of design approach and ideas (in regard to aspects such as general arrangement, layout, functionality, green measures, heritage conservation, aesthetics and overall appearance where appropriate).

## **3. APPROACH TO COST-EFFECTIVENESS AND SUSTAINABILITY**

To include sub-sections on –

- 3.1 examples and discussion of past projects to demonstrate the consultant's will, ability and physical measures to produce cost-effective, energy efficient, environmentally friendly and sustainable solutions which are applicable to this project; and
- 3.2 approach to achieve cost-effectiveness (including life-cycle costs vis-à-vis initial project cost, operational cost and maintenance cost), energy efficiency, environmental friendliness and sustainability on this project in relation to the following:
  - (a) development of options of alternative alignment for Route 11 and its connections with the existing/future road network and establishment of a technically feasible Recommended Alignment for Route 11 with due consideration of issues such as land resumption, visual impact, environmental impact, better connectivity, etc. to minimise potential objections;
  - (b) completion of the ground investigation works and associated laboratory testing works to provide required results timely for the preliminary design and to facilitate detailed design of this project, especially for tunnel portals and foundations of suspension bridge towers and cable anchorage;
  - (c) design, construction, operation and maintenance of the proposed Tsing Lung Bridge including but not limited to the following components:
    - cable system
    - deck system with wind screen or similar device
    - tower and tower foundation with ship impact protection where applicable
    - cable anchorage
  - (d) design, construction, operation and maintenance of the three proposed major road tunnels including but not limited to the following components:
    - profile and cross-sections of the tunnel, including tunnel linings and arrangements required for safe and efficient operation and maintenance

- tunnel portals
  - tunnel administration and ventilation buildings
- (e) design, construction, operation and maintenance of the viaducts and/or interchanges including but not limited to the following:
- realignment of Tuen Mun Road
  - Lam Tei Interchange
  - So Kwun Wat Interchange
  - connection to Tuen Mun Road at So Kwun Wat
  - Tsing Lung Tau Interchange
  - North Lantau Interchange
- (f) design, construction, operation and maintenance of the equipment and facilities required for the management, operation and maintenance system for roads, viaducts, tunnels and long span bridge, including but not limited to systems for traffic control and surveillance, central monitoring and control, lighting, smoke extraction, ventilation, fire services, system, power supply, wind and structural health monitoring, dehumidification, etc.

#### **4. METHODOLOGY AND WORK PROGRAMME**

To include sub-sections on –

4.1 approach to fast-track the following:

- (a) development of the Final Recommended Alignment;
- (b) obtaining Environmental Permit(s) for constructing and operating this project; and
- (c) gazette for this project under relevant ordinances and resolution of potential objections.

4.2 technical approach with programme on pre-construction works to enable delivery of the project practicably having regard to the reasonable time required and other technical constraints vis-à-vis the project requirements (including methodology to deal with project planning, public engagement, land resumption and clearance and funding approval procedure); and

4.3 work programme and procurement strategy and packages with highlights to demonstrate ways to fast-track the detailed design and construction programme, to deal with programme constraints and interface, and to level and reduce the resources peak.

#### **5. INNOVATION AND CREATIVITY**

To include sub-sections on the innovative and creative ideas applicable to this project in relation to the following:

5.1 practical and cost-effective applications of Modular Integrated Construction and Design for Manufacturing and Assembly;

- 5.2 adoption of new technologies and materials for construction, operation and maintenance;
- 5.3 use of smart infrastructures and digital asset management with considerations for efficient operation and maintenance;
- 5.4 applications of renewable energy;
- 5.5 enhancement of aesthetics; and
- 5.6 other innovative and creative ideas.

## 6. STAFFING

To include sub-sections on –

- 6.1 staff organisation chart with highlights on the efficiency and effectiveness of the organisation;
- 6.2 relevant experience (including design constructability and risk management where applicable) and qualifications of key staff. In particular, the post qualification experience and relevant job reference of the specified *key persons* (The term "*key person*" in this guideline shall, for the purposes of construing DEVB TC(W) No. 2/2016, DEVB TC(W) No. 5/2018 and EACSB Handbook as amended from time to time, bear the same meaning as "Core Personnel" and "core personnel" in those documents.) in Note (2) of Part B below shall be included;
- 6.3 responsibilities and degree of involvement of key staff; and
- 6.4 adequacy of professional and technical manpower input.

## 7. APPENDICES

- 7.1 Previous relevant experience and projects completed;
- 7.2 Current projects, listing total and outstanding cost and duration and staff expertise and deployment;
- 7.3 Manning schedule using the template provided (**without** any indication of prices and rates) showing the manpower input of the professional and technical staff under six staff categories (namely Partners/Directors, Chief Professional, Senior Professional, Professional, Assistant Professional and Technical). If the technical proposal contains any indication of prices, rates or *fee percentage*, the consultant's submissions shall not be considered further in the consultant selection exercise;
- 7.4 Responsibilities, brief curriculum vitae (qualifications and experience) and employment status (i.e. fulltime or not) of the key staff; and
- 7.5 Responsibilities, qualifications and experience of the proposed Subcontractors and the corresponding letters of association.

**(B) Marking Scheme**

- (1) The marks to be allocated to each main section of the technical proposal shall be within the range indicated below and shall total 100%:

Section		Percentage mark to be allocated (%)	
		Sub-section	Section
1	Consultant's Experience	-	5
	Sub-section 1.1	2	
	Sub-section 1.2	1	
	Sub-section 1.3	1	-
	Sub-section 1.4	1	
2	Response to the Scope	-	5
	Sub-section 2.1	2	-
	Sub-section 2.2	3	-
3	Approach to Cost-effectiveness and Sustainability	-	24
	Sub-section 3.1	2	-
	Sub-section 3.2(a)	3	-
	Sub-section 3.2(b)	2	
	Sub-section 3.2(c)	6	
	Sub-section 3.2(d)	4	
	Sub-section 3.2(e)	4	
	Sub-section 3.2(f)	3	-
4	Methodology and Work Programme	-	20
	Sub-section 4.1(a)	4	-
	Sub-section 4.1(b)	2	
	Sub-section 4.1(c)	5	
	Sub-section 4.2	4	-
	Sub-section 4.3	5	-
5	Innovation and Creativity	-	9
	Sub-section 5.1	2	-
	Sub-section 5.2	2	-
	Sub-section 5.3	2	
	Sub-section 5.4	1	
	Sub-section 5.5	1	
	Sub-section 5.6	1	
6	Staffing	-	25
	Sub-section 6.1	3	-
	Sub-section 6.2	7	-
	Sub-section 6.3	8	-
	Sub-section 6.4	7	-
7	Past Performance	-	12
	Past Performance of the consultant	10	-
	Past Performance of Subcontractors	2	-
Total		100	100



- (2) Each Assessment Panel Member shall grade each section/sub-section, except the “past performance” section/sub-sections and the “adequacy of professional and technical manpower input” sub-section of the “Staffing” section, as either “very good”, “good”, “fair” or “poor”. The marks corresponding to these grades are:

Grade	Marks (%)
Very Good (VG)	$1.0 \times Y$
Good (G)	$0.8 \times Y$
Fair (F)	$0.6 \times Y$
Poor (P)	$0.3 \times Y$

where Y is the percentage mark allocated to the criterion.

For selection criteria “Consultant’s experience”, “Response to the Scope” and “Staffing” which adopt the “Full Marks Approach”, full marks should normally be given if the quantitative specifications set out by the Assessment Panel in the following tables are able to be met as assessed by the Assessment Panel Members:

Consultant’s Experience (Sub-sections 1.1)

For attaining full mark (i.e. grade VG) for each Sub-section, a consultant should possess experience on having conducted more than 2 relevant consultancy assignments within 10 years before the original or the extended T&F proposal submission closing date. The type of each consultancy assignment (e.g. feasibility, investigation, design, construction, etc.) and the type of work involved in case it is not a consultancy assignment and the years during which the consultant is involved shall be provided in the Technical Proposal.

No. of relevant consultancy assignments involved	Grade
More than 2	VG
2	G
1	F
0	P

Consultant’s Experience (Sub-sections 1.2 to 1.4)

For attaining full mark (i.e. grade VG) for each Sub-section, a consultant should possess experience on having conducted 5 or more relevant consultancy assignments within 10 years on or before the original or the extended T&F proposal submission closing date. The type of each consultancy assignment (e.g. feasibility, investigation, design, construction, etc.) and the type of work involved in case it is not a consultancy assignment and the years during which the consultant is involved shall be provided in the Technical Proposal.

No. of relevant consultancy assignments involved	Grade
5 or more	VG
3 to 4	G
1 to 2	F
0	P

Response to the Scope (Section 2)

For attaining full mark (i.e. grade VG), a consultant should identify in the assignment 10 or more key issues/problems with practicable suggestions on ways of addressing them.

No. of key issues/ problems identified	Grade
10 or more	VG
7 to 9	G
4 to 6	F
0 to 3	P

Staffing – Staff organization chart (Sub-section 6.1)

The pre-set descriptions for the four different grades are follows:

Description	Grade
Very efficient and effective staff organization with strong teams of experts and professionals and comprehensive communication and collaboration platforms	VG
Efficient and effective staff organization with well-defined teams of experts and professionals and suitable communication and collaboration platforms	G
Fair staff organization showing reasonable teams of experts and professionals and communication and collaboration platforms	F
No information or a poor staff organization	P

Staffing – Relevant experience and qualification of key staff (Sub-section 6.2)

For attaining full mark (i.e. grade VG), a consultant should provide the minimum number of *key persons* who should possess the corresponding minimum qualification and experience as mentioned in the tables below. Marks allocated to the *key persons* under the same designation are on equal basis.

If the undertakings signed by non-fulltime *key persons* to confirm their involvement in undertaking the designations of Project Manager, Project Director and/or Team Leaders cannot be produced, the staff concerned shall be considered as failure to meet the requirements and “P” shall be marked for the staff concerned accordingly.

<i>key person</i> designation	Post Qualification Experience	Relevant Job Reference	Grade
<b>Project Director</b> (Mark: 25% of the mark for Sub-section 6.2) Minimum number: 1 Minimum qualification of a P/D <sup>a</sup> category	Not less than 20 years	Not less than 5 projects	VG
	Not less than 18 years	Not less than 3 projects	G
	Not less than 15 years	Not less than 1 project	F
	Fail to meet the standard above		P

<i>key person</i> designation	Post Qualification Experience	Relevant Job Reference	Grade
<b>Project Manager</b> (Mark: 15% of the mark for Sub-section 6.2) Minimum number: 1 Minimum qualification of a CP <sup>b</sup> category	Not less than 18 years (professional); or Not less than 23 years (academic)	Not less than 5 projects	VG
	Not less than 15 years (professional); or Not less than 20 years (academic)	Not less than 3 projects	G
	Not less than 12 years (professional); or Not less than 17 years (academic)	Not less than 1 project	F
	Fail to meet the standard above		P

<i>key person</i> designation	Post Qualification Experience	Relevant Job Reference	Grade
<b>Team Leader (Tunnel)</b> (Mark: 15% of the mark for Sub-section 6.2) Minimum number: 1 Minimum qualification of a CP <sup>b</sup> category	Not less than 18 years (professional); or Not less than 23 years (academic)	Not less than 5 projects	VG
	Not less than 15 years (professional); or Not less than 20 years (academic)	Not less than 3 projects	G
	Not less than 12 years (professional); or Not less than 17 years (academic)	Not less than 1 project	F
	Fail to meet the standard above		P

<i>key person</i> designation	Post Qualification Experience	Relevant Job Reference	Grade
<b>Team Leader (Suspension Bridge)</b> (Mark: 15% of the mark for Sub-section 6.2) Minimum number: 1 Minimum qualification of a CP <sup>b</sup> category	Not less than 18 years (professional); or Not less than 23 years (academic)	Not less than 5 projects	VG
	Not less than 15 years (professional); or Not less than 20 years (academic)	Not less than 3 projects	G
	Not less than 12 years (professional); or Not less than 17 years (academic)	Not less than 1 project	F
	Fail to meet the standard above		P

<i>key person</i> designation	Post Qualification Experience	Relevant Job Reference	Grade
<b>Team Leader (Traffic)</b> (Mark: 15% of the mark for Sub-section 6.2) Minimum number: 1 Minimum qualification of a CP <sup>b</sup> category	Not less than 18 years (professional); or Not less than 23 years (academic)	Not less than 5 projects	VG
	Not less than 15 years (professional); or Not less than 20 years (academic)	Not less than 3 projects	G
	Not less than 12 years (professional); or Not less than 17 years (academic)	Not less than 1 project	F
	Fail to meet the standard above		P

<i>key person</i> designation	Post Qualification Experience	Relevant Job Reference	Grade
<b>Team Leader (Environment)</b> (Mark: 15% of the mark for Sub-section 6.2) Minimum number: 1 Minimum qualification of a CP <sup>b</sup> category	Not less than 18 years (professional); or Not less than 23 years (academic)	Not less than 5 projects	VG
	Not less than 15 years (professional); or Not less than 20 years (academic)	Not less than 3 projects	G
	Not less than 12 years (professional); or Not less than 17 years (academic)	Not less than 1 project	F
	Fail to meet the standard above		P

**Notes:** a. P/D denotes “Partners/Directors”  
 b. CP denotes “Chief Professional”

Staffing – Responsibility and degree of involvement of key staff (Sub-section 6.3)

For attaining full mark (i.e. grade VG), a consultant should propose at least 80% of the weighted total manpower input of named staff for those with professional category or above.

Degree of Involvement of Key Staff (X)	Grade
$X \geq 80\%$	VG
$60\% \leq X < 80\%$	G
$40\% \leq X < 60\%$	F
$X < 40\%$	P

where X is calculated by using the following formula:

$$\frac{\text{Weighted manpower input of named staff with professional category or above}}{\text{Weighted total manpower input}} \times 100\%$$

For other selection criteria not adopting the “Full Marks Approach”, if the Scope or other relevant requirements are just fulfilled, a “fair” grading at most should normally be given.

The weighted marks of Assessment Panel Members shall be accumulated to produce the final marks for each sub-section. Summation of all sub-section final marks will produce a total mark for the technical proposal.

- (3) The method of assessing the “adequacy of professional and technical manpower input” sub-section of the “Staffing” section (Sub-section 6.4) is set out in **Appendix C of Development Bureau (DEVB) Technical Circular (Works) (TC(W)) No. 2/2016 and No. 5/2018**. For the purpose of assessment of adequacy of professional and technical manpower input only, “conforming bids” mean those technical proposals which have been checked and found to be conforming before the opening of the fee proposals.

If the consultant’s proposed staff claimed to be in a particular staff category do not meet the minimum academic/professional qualifications and/or minimum experience requirements, the procedures set out in item 4, Appendix C to DEVB TC(W) No. 2/2016 and No. 5/2018 should be followed. Where the information, together with clarifications from the consultant (if any), reveals non-compliance with the minimum academic/professional qualifications and/or minimum experience for one or more than one staff member, the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the table below.

If the consultant does not input the staff category for any particular staff in the manning schedule of his technical proposal, the consultant may be approached, before the opening of the fee proposal, for clarification on the staff category for that particular staff, if any, input in the manning schedule of his fee proposal. In case the consultant clarifies that no staff category has been input for the staff in both technical and fee proposals, that particular staff shall be counted as non-compliance with the minimum academic/professional qualifications and/or minimum experience requirements for the purpose of assessment on this aspect only and the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the table below. In determining the degree of non-compliance under this circumstance, the staff category and the academic/professional qualifications and/or experience of that particular staff shall be determined from the information in the curriculum vitae for named staff or the declaration to meet the minimum academic/professional qualifications and/or minimum experience requirements in the relevant staff categories for unnamed staff submitted in the technical proposal together with any clarification from the consultant on the factual information of the staff if appropriate.

Degree of non-compliance	<p>Calculated Percentage = <math>B/A \times 100\%</math>                      where                      A = Weighted total manpower input of the consultant                      B = Weighted manpower input of the proposed staff claimed to be in a particular staff category not meeting the minimum academic/professional qualifications and/or minimum experience requirements</p>	<p>Mark for the “adequacy of professional and technical manpower input” attribute shall be multiplied by</p>
Minor	> 0% and ≤ 5%	0.95
Medium	> 5% and < 10%	0.80
Serious	≥ 10%	0.60

Staff working under an overloading situation

The manpower input as at end of May 2021 captured in the final snapshot taken by the Public Works Consultants Resources Allocation Register (PWCRAR) as detailed in DEVB TC(W) No. 5/2018 will be used for checking if any named professional staff or above proposed in the manning schedule of his technical proposal is working under an overloading situation. If overloading is identified for a particular named professional staff or above, the consultant may be approached for clarification.

Where the manpower input data in the PWCRAR, together with relevant clarifications from the consultant (if any) reveals overloading situation, mark to be given for the “adequacy of professional and technical manpower input” attribute shall be adjusted by the Assessment Panel using the following table:

Overloading Situation	Degree of Overloading	Mark for “Adequacy of professional & technical manpower input” shall be multiplied by
Minor	> 0% and ≤ 5%	0.95
Medium	> 5% and < 10%	0.85
Serious	≥ 10%	0.75

Notwithstanding the above, the following circumstances shall be considered by the Assessment Panel as “Serious” overloading situation:

- (a) Where the consultant or any of its proposed Subcontractor fails to provide the first manpower input updating in accordance with paragraph 3 of Appendix 3.7 to DEVB TC(W) No. 5/2018 with refinements as instructed by the procuring departments for any signed consultancies and consultancies having Expression of Interest Submissions or Technical and Fee Proposals (for one-stage procedure) invited before 3 December 2018 (referred to as “existing consultancies”) undertaken by the consultant or any of its proposed Subcontractor as the sole consultant or one of the participants in the joint venture. For the purpose of tender assessment in this regard, a consultant will be considered as failing to provide the first manpower input updating for an existing consultancy if it fails to provide a manpower input updating which enables the procuring department of the existing consultancy concerned to endorse it in the PWCRAR as described in paragraph 2 of Appendix 3.7 to DEVB TC(W) No. 5/2018 for all the reporting quarters before the tender closing date of the tender under assessment; or
- (b) Where the consultant fails to provide the manning schedule as required in the invitation letter for the Technical and Fee Proposal for the consultant selection exercise under assessment and/or failed to provide the manning schedule as required in the invitation letter for Technical and Fee Proposal for any concurrent tender with the same bidder, which make the assessment of overloading situation in accordance with DEVB TC(W) No. 5/2018 unable to be properly performed. For the avoidance of doubt, concurrent tenders shall mean other tenders registered in the PWCRAR which have been closed but not yet been awarded at end of May 2021 captured in the final snapshot taken by the PWCRAR as detailed in DEVB TC(W) No. 5/2018.

- (4) The following method shall be used in the assessment of past performance of the consultant and Subcontractors:
- (a) Assessment of past performance of a consultant and his Subcontractors (if applicable) should be carried out separately, based on their updated Past Performance Rating (PPR) in the CNPIS. Details of PPR shall be referred to DEVB TC(W) No. 3/2016. For any unincorporated joint venture making a submission, his PPR shall be taken as the average of PPRs of all his participants having a PPR. The latest PPR issued by DEVB on or before the due date for submission of the technical and fee proposals shall be used for the marking of the past performance of the consultant and Subcontractors in the nomination stage.
  - (b) Those consultants proposing no Subcontractor should be assessed under the criterion “past performance of Subcontractors” as if they were Subcontractors to themselves.
  - (c) Where a consultant proposes more than one Subcontractor, the PPR shall be taken as the average of PPRs of those Subcontractors who have a PPR.
  - (d) Where none of the proposed Subcontractors of a consultant has a PPR, the consultant should be assessed under the criterion “past performance of Subcontractors” as if he was a Subcontractor to himself.
  - (e) The following formula shall be used to calculate the mark for “past performance of the consultant” (same for Subcontractors):

$$\text{Mark assigned to consultant "i"} = \text{Mark allocated for the criterion of past performance} \times \frac{R_i}{R_{\text{highest}}}$$

where: (i)  $R_i$  is the current PPR of consultant "i".

(ii)  $R_{\text{highest}}$  is the highest current PPR among all of the consultants involved in the exercise.

(iii) In case there is only one consultant in the exercise having a PPR, his mark in the criterion of past performance shall be calculated by:

$$\text{Mark allocated for the criterion of past performance} \times \frac{\text{PPR of the consultant}}{100}$$

and the calculated mark shall then be taken as a “cap” for all the other consultants' marks calculated using the method in the item (B)(4)(f) below.

- (f) For a consultant having less than 4 performance scores under the relevant consultants selection board concerned in the past three years, his PPR shall not be considered. The “past performance of the consultant” sub-section shall then be marked based on the consultant’s weighted average percentage mark (not the grade) in the remaining sections excluding the “past performance of Subcontractors” sub-section if any, subject to the cap derived in item (B)(4)(e)(iii) above for the case with only one



consultant having a PPR if applicable.

- (g) A consultant who is under suspension from bidding shall not be shortlisted for submission of technical and fee proposals for further consultancy assignments until the suspension is lifted. Bids already submitted by the shortlisted consultant in response to invitations before the suspension from bidding, which is imposed after submission of technical and fee proposals, should continue to be assessed subject to further consideration as given in item (B)(4)(h) below. Bids submitted by the shortlisted consultant who is under suspension from bidding, which is imposed before submission of technical and fee proposals, shall not be considered further.
  - (h) For a consultant who is suspended from bidding after he has submitted technical and fee proposals or a consultant, although not suspended from bidding but serious default or non-performance of him (such as those mentioned in paragraph 22 of Annex I of DEVB TC(W) No. 3/2016) has been made known to the Assessment Panel, the Assessment Panel shall carefully consider whether the proposals of such consultant should be further processed. If the Assessment Panel decides not to further process the bid of such consultant, the Assessment Panel should seek endorsement from the AACSB/EACSB (or the relevant DCSC) on such decision before continuing with the consultant selection exercise.
- (5) **1** mark shall be deducted for non-compliance with the format.
  - (6) Combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) No. 2/2016 and No. 5/2018 and its subsequent updates (if any).
  - (7) The Assessment Panel comprises four marking members from the Highways Department, one marking member from the Civil Engineering and Development Department, one marking member from the Transport Department and two non-marking members (Chairperson and Secretary) from the Highways Department.

**Guidelines on Preparation of Fee Proposal****(A) General**

1. The Fee Proposal comprises (i) the Contract Data Part two (Section 2), (ii) the *activity schedule*; (iii) Annexes A to E of Fee Proposal (using the proforma provided), and (iv) other financial information if any, as specified in these Guidelines and the Invitation Letter for Agreement No. CE 13/2021 (HY) Route 11 (Section between Yuen Long and North Lantau) - Investigation.
2. Two signed copies of the Fee Proposal must be delivered **by hand** before **12:00 noon** on **16 July 2021** to:

Chairman, EACSB  
Director of Civil Engineering and Development  
15/F, Civil Engineering and Development Building  
101, Princess Margaret Road  
Ho Man Tin, Kowloon

The Proposal must be in a sealed envelope marked “EACSB Fee Proposal for Agreement No. CE 13/2021 (HY) Route 11 (Section between Yuen Long and North Lantau) - Investigation, submitted by \_\_\_\_\_”.

3. Completion of the Contract Data Part two (Section 2) in full is essential both to ensure a valid proposal and to eventually create a complete contract.
4. If the Fee Proposal is submitted by a Joint Venture, all participants in the Joint Venture must sign the Fee Proposal.

**(B) Annexes A to E of Fee Proposal**

5. The tendered total of the Prices in the Contract Data Part two (Section 2) shall be equal to the total of the prices in Annex A of the Fee Proposal.
6. Annex C of the Fee Proposal will not be taken into account in the combined score assessment of the Technical and Fee Proposals for the award of this contract.
7. Annex D of the Fee Proposal shall be completed for this contract.
8. The manning schedule details required in Annex E of the Fee Proposal should be provided by using as many sheets as necessary if more than 20 personnel are involved. The adjusted people rates of the *Consultant* (including its proposed Subcontractors) shall include for all costs to the *Consultant*, including but not limited to staff salary, any additional payments, benefits and costs, such as people related insurance premiums, end-of-contract gratuity and mandatory provident fund, medical and dental care, housing benefits, children education benefits, passages, non-recoverable staff time which is not chargeable, etc. All other costs the *Consultant* may incur that are not included in the adjusted people rates shall be allowed in the adjusted fee, including but not limited to the *Consultant's* overheads and profit, office expenses, management fees for its proposed Subcontractors, administrative staff

who are not chargeable, other insurance premiums, financial charges, and allowance for its risks.

**(C) Correction Rules for Tender Errors in Fee Proposal**

9. In respect of each staff category for the “*people rates*” specified in the Contract Data Part two (Section 2), irrespective of the number of proposed Subcontractors that may be involved, only ONE rate shall be inserted as specified. **The consultant’s submissions which do not comply with this requirement shall not be considered further in the consultant selection exercise.**
10. In respect of each staff category for the “*RSS on-cost rates*” specified in the Contract Data Part two (Section 2), only ONE rate shall be inserted as specified. **The consultant’s submissions which do not comply with this requirement shall not be considered further in the consultant selection exercise.**
11. The consultant’s attention is drawn to the requirement to insert the “*people rates*” and “*RSS on-cost rates*” in respect of each category of staff specified in the Contract Data Part two (Section 2), which information is essential for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If a zero rate is inserted for any or all of these rates, the Highways Department will seek confirmation from the consultant to abide by the bid with the zero rate(s) so proposed for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant fails to put in any or all of these rates, the relevant rate(s) shall be corrected by deeming the rate(s) as zero and the Highways Department will seek confirmation from the consultant to abide by the bid with the relevant rate(s) so corrected for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant confirms its agreement to abide by the bid with the rate(s) so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) Nos. 2/2016, 5/2018 and their subsequent updates (if any) on the basis of the proposed prices and/or rates with such rate(s) so corrected and confirmed. If the consultant fails to confirm its agreement to abide by the bid with the rate(s) so proposed and/or corrected in writing by a specified deadline, **the consultant’s submissions shall not be considered further in the consultant selection exercise.**
12. The consultant’s attention is drawn to the units of the rates as specified in the proforma for the Contract Data Part two (Section 2) attached to the Invitation Letter for Submission of Technical and Fee Proposals. Where any of the units of the rates as presented on the Contract Data Part two (Section 2) the consultant has submitted differs from the unit(s) of the respective rate(s) specified in the prescribed proforma, such discrepancy shall be corrected by regarding the former as an inadvertent typographical error and the unit(s) concerned in the Contract Data Part two (Section 2) submitted shall be automatically corrected to the corresponding unit(s) as per the prescribed proforma. For such corrections, only the units are to be so corrected, but not the numerical figures as filled in by the consultant in the Contract Data Part two (Section 2) submitted. The Highways Department will then seek confirmation from the consultant to abide by the bid with units so corrected. If the consultant confirms its agreement to abide by the bid with units corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) Nos. 2/2016, 5/2018 and their

- subsequent updates (if any) on the basis of the proposed prices and/or rates with units so corrected and confirmed. If the consultant fails to confirm its agreement to abide by the bid with units so corrected in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultant selection exercise.**
13. The consultant's attention is drawn to the requirement to insert the "*fee percentage*" in the Contract Data Part two (Section 2), which is essential for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. Where the *fee percentage* in the Contract Data Part two (Section 2) is different from the *fee percentage* in the manning schedule in Annex E of the Fee Proposal, the consultant will be asked to rectify the discrepancy by correcting arithmetic errors or making adjustments to the "adjusted people rate" or amending any information/data in the Fee Proposal subject to paragraph 16 below to bring it in line with the *fee percentage* in the Contract Data Part two (Section 2). If the consultant fails to rectify the discrepancies and confirm its agreement to abide by the bid with discrepancies so rectified in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultant selection exercise.** However, the consultant is not allowed to make any adjustment to the "tendered total of the Prices", the "*people rates*", the "*RSS on-cost rates*" and the "*fee percentage*" in the Contract Data Part two (Section 2).
  14. Where the tendered total of the Prices in the Contract Data Part two (Section 2) is different from the total of the prices in the summary breakdown of the tendered total of the Prices in Annex A of the Fee Proposal or other discrepancies are identified, such as where the manpower input in Annex E of the Fee Proposal does not tally with the Technical Proposal, the consultant will be asked to rectify the discrepancy by correcting arithmetic errors or making adjustments to the "adjusted people rate" or amending any information/data in the Fee Proposal subject to paragraph 16 below to bring it in line with the tendered total of the Prices in the Contract Data Part two (Section 2) and the manpower input in the Technical Proposal where appropriate. If the consultant fails to rectify the discrepancies and confirm its agreement to abide by the bid with discrepancies so rectified in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultant selection exercise.** However, the consultant is not allowed to make any adjustment to the "tendered total of the Prices", the "*people rates*", the "*RSS on-cost rates*" and the "*fee percentage*" in the Contract Data Part two (Section 2).
  15. When there is no *fee percentage* or an illegible or negative *fee percentage* is inserted into Contract Data Part two (Section 2), the relevant *fee percentage* shall be corrected by deeming the *fee percentage* as 0% and the Highways Department will seek confirmation from the consultant to abide by the bid with the relevant *fee percentage* so corrected for bid assessment purpose and for payment/management of the *Consultant* upon award of this contract. If the consultant confirms its agreement to abide by the bid with the *fee percentage* so proposed and/or corrected, the combined score assessment of Technical and Fee Proposals would then be continued in the prescribed manner in accordance with DEVB TC(W) No. 2/2016, No. 5/2018 and its subsequent updates (if any) on the basis of the proposed prices and/or rates with such *fee percentage* so corrected and confirmed. If the consultant fails to confirm its agreement to abide by the fee percentage so corrected in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultant selection exercise.**

16. The following correction rules shall be applied to the *activity schedule*:

- (i) The price for each activity shall be inserted as a percentage of the tendered total of the Prices.
- (ii) Where there is no price or an illegible price inserted against any activity, it shall be deemed that the price for the activity has been allowed in prices entered elsewhere in the *activity schedule* and the percentage shall therefore be marked as zero.
- (iii) If one or more pages of the *activity schedule* or any minimum item of activities shown in the proforma for the *activity schedule* are found missing, the prices for all activities in the missing page(s) or missing minimum items of activities as appropriate shall be marked as zero and the prices shall be deemed to have been allowed for in prices entered elsewhere in the *activity schedule*. Where the activity description for any minimum item of activities shown in the proforma for the *activity schedule* is amended, if a price has been entered against this item, the same price shall be used for this item with the activity description rectified to the original one.
- (iv) Should there be a tender addendum introducing changes to the proforma for the *activity schedule* but the changes have not been incorporated into the *activity schedule* by the consultant, then the changes as required by the tender addendum shall be incorporated into the consultant's *activity schedule* and the prices for those new activities or modified activities shall be determined as follows:

Where new activity is introduced	Price for the new activity shall be marked as zero and the price of the activity shall be deemed to have been allowed for in prices entered elsewhere in the <i>activity schedule</i> .
Where the activity description is changed	If a price has been entered against the original activity, the same price shall be used.
Where an activity is deleted	That activity shall be deleted in accordance with the addendum.

- (v) Where the total of the prices for the additional activities entered by the consultant exceeds 10% of the tendered total of the Prices, the total of the prices for the additional activities shall be corrected to the equivalent value of 10% of the tendered total of the Prices. The difference between the corrected prices and the original prices for the additional activities entered by the consultant shall then be distributed to all other activities in proportion according to the original prices of those activities entered by the consultant. The prices for the additional activities shall be adjusted on a pro rata basis.
- (vi) The sum of inserted prices for individual group/groups of activities shall lie within the maximum and minimum limits as specified in the proforma for the *activity schedule* attached to the Invitation Letter for Submission of Technical and Fee Proposals. The consultant is allowed to provide comments to the Highways Department on the specified maximum and minimum limits before and in the pre-submission meeting. Any sum of inserted prices lower than the minimum limit

shall be corrected to the minimum limit, whilst any sum of inserted prices higher than the maximum limit shall be corrected to the maximum limit. The difference between the corrected price and the original price for the concerned group/groups of activities entered by the consultant shall then be distributed to other groups in proportion according to the original prices of those groups entered by the consultant subject to their respective maximum and minimum limits. The prices for the activities within the groups shall be adjusted on a pro rata basis.

- (vii) Errors in extension and casting of totals shall be corrected.
- (viii) The tender examiner may adjust the corrected prices for any activities for any round-off error.
- (ix) Subject to other provisions in these Guidelines, the *activity schedule* and/or the manning schedule in Annex E of the Fee Proposal should be corrected to match with each other as far as possible. For Option A, the adjusted people rates in Annex E of the Fee Proposal may be rectified to suit. Where appropriate, the consultant shall note that the tender examiner may allow any minor discrepancies between the *activity schedule* and the manning schedule in Annex E of the Fee Proposal, where the former shall prevail and be used for payment/management of the *Consultant* upon award of this contract.
- (x) If the consultant is asked to correct any errors under this paragraph, the Highways Department will seek confirmation from the consultant to abide by the bid with the corrections. If the consultant fails to confirm its agreement to abide by the bid with the corrections in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultant selection exercise.**

17. In the event no written correction rule is applicable,

- (i) where ambiguity as to the consultant's true intention exists, it shall be construed by the tender examiner by reference to the best practice or his best judgment; and
- (ii) where errors relate to factual information and there is no room for manipulation by a consultant by virtue of subsequent correction; or where the correction of such errors would not change the tender in substance or the quality of the tender which would give the consultant an advantage over the other consultants, the concerned consultant may be permitted to correct the errors. In other cases, the tender shall be assessed with the errors as submitted.

18. If the consultant is asked to correct any errors under paragraph 17 above, the Highways Department will seek confirmation from the consultant to abide by the bid with the corrections. If the consultant fails to confirm its agreement to abide by the bid with the corrections in writing by a specified deadline, **the consultant's submissions shall not be considered further in the consultant selection exercise.**

**(D) Specified Percentage Range**

19. The "people rates" in the Contract Data Part two (Section 2) can be different from the "adjusted people rates" indicated in the manning schedule at Annex E of the Fee Proposal.

20. For the purpose of checking the Specified Percentage Range requirement in accordance with Appendix D of Development Bureau (DEVB) Technical Circular (Works) (TC(W)) Nos. 2/2016, 5/2018 and their subsequent updates (if any), the “staff rate in lump sum fee” means the “adjusted people rate in the tendered total of the Prices”, the “staff rate for additional Services” means the “*people rate*” in the Contract Data Part two (Section 2) and the “total fee” of the staff group means the “amount in the tendered total of the Prices” for the concerned staff group divided by a factor (100% + *fee percentage*).
21. If the percentage difference between the “*people rate*” and the “adjusted people rate in the tendered total of the Prices” of any staff group exceeds the “Specified Percentage Range” of **-10% to +40%**, **the consultant’s submissions shall not be considered further in the consultant selection exercise.**

**(E) Combined Score Assessment**

22. Combined score assessment of Technical and Fee Proposals will be carried out in accordance with DEVB TC(W) Nos. 2/2016, 5/2018 and their subsequent updates (if any). The weightings for technical score, consultancy fee score and fee quality score for this contract are 72%, 18% and 10% respectively.
23. Notional man-hours for compensation events are listed in the table below. The *people rates* in the Contract Data Part two (Section 2) will be applied with the notional man-hours for compensation events, which are then further multiplied by a factor (100% + *fee percentage*) to arrive at the “adjusted notional value for compensation events” to be used for purpose of the combined score assessment of Technical and Fee Proposals by adopting DEVB TC(W) Nos. 2/2016, 5/2018 and their subsequent updates (if any).

Staff category	Notional man-hours for compensation events
Partners/Directors (P/D)	690
Chief Professional Staff (CP)	2,620
Senior Professional Staff (SP)	5,050
Professional Staff (P)	7,680
Assistant Professional Staff (AP)	9,470
Technical Staff (T)	9,390

For the avoidance of doubt, notwithstanding the adjusted notional value for compensation events, the *Client* has no obligation whatsoever to implement any compensation event.

24. The notional numbers of man-months of collective ranks of Resident Site Staff (“RSS”) directly employed by the *Consultant* or Government staff posted to the *Consultant* by the *Client* are listed in the table below. The *RSS on-cost rates* in the Contract Data Part two (Section 2) will be applied with the notional numbers of man-months to arrive at the “notional RSS on-cost charges” to be used for purpose of the combined score assessment of Technical and Fee Proposals.

<b>Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to the <i>Consultant</i> by the <i>Client</i></b>	<b>Notional number of man-months of each collective rank (man-month)</b>
R3	30
R4	48
R5	132

25. The notional Resident Site Staff establishment is given in **Attachment A**.
26. The details of the collective ranks of RSS directly employed by the *Consultant* or Government staff posted to the *Consultant* by the *Client* are in Clause C2 of the *additional conditions of contract*.
27. For the avoidance of doubt, notwithstanding the notional resident site staff on-cost charges, the *Client* has no obligation whatsoever to instruct any *services* in relation to the Resident Site Staff as the notional Resident Site Staff establishment.
28. For the purpose of the combined score assessment of Technical and Fee Proposals by adopting DEVB TC(W) Nos. 2/2016, 5/2018 and their subsequent updates (if any), “lump sum fee” means the “tendered total of the Prices” in the Contract Data Part two (Section 2) and “consultancy fee” means the sum of (i) the “tendered total of the Prices”, and (ii) the “adjusted notional value for compensation events” as calculated in accordance with paragraph 23 above, and (iii) the “notional RSS on-cost charges” as calculated in accordance with paragraph 24 above.

**(F) Enquiries**

29. Questions regarding the completion of the Fee Proposal should be made to Mr. Albert K.M. CHEUNG, Senior Project Coordinator 2 / Route 11 of the Highways Department.



**Attachment A – Notional Resident Site Staff (RSS) Establishment**

<b>(I) Rank</b>	<b>(II) Posts in notional RSS establishment</b>	<b>(III) Number in notional RSS establishment</b>	<b>(IV) Notional number of man- months</b>	<b>(V) Collective rank of RSS directly employed by the <i>Consultant</i> or Government staff posted to the <i>Consultant</i> by the <i>Employer</i></b>
RE, RE(E&M), RE(G), RA, RLA, RQS, RLS, RCTO, RSIOW, RSCOW, RPSO, RPTO	RE(G)	1	30  (sub-total = 30)	R3
ARE, ARE(E&M), ARE(G), ARA, ARLA, ARQS, ARLS, RIOW, RAIOW, RSFO, RFOI, RSSO, RCOW, RACOW, RSTO, RSO, RTO, RCO	ARE(G)  RAIOW	1  1	24  24  (sub-total = 48)	R4
RWSI, RWSII, RFOII, RACO, RACO(LR), RCA, RPSII, Resident Artisan, Resident Chainman, Resident Laboratory Assistant	RWSI  RWSII  RACO(LR)	2  2  1	60  48  24  (sub-total = 132)	R5