

# 立法會

## 調查廣深港高速鐵路香港段建造工程延誤的 背景及原委專責委員會

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### 第九次研訊的逐字紀錄本

日期： 2015年11月10日(星期二)  
時間： 上午9時30分  
地點： 立法會綜合大樓會議室3

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### 出席委員

廖長江議員, SBS, JP (主席)  
謝偉銓議員, BBS (副主席)  
李卓人議員  
陳鑑林議員, SBS, JP  
毛孟靜議員  
田北辰議員, BBS, JP  
易志明議員, JP  
胡志偉議員, MH  
范國威議員  
莫乃光議員, JP  
陳恒鑌議員, JP  
盧偉國議員, SBS, MH, JP

### 其他出席議員

石禮謙議員, GBS, JP

### 缺席委員

鄧家彪議員, JP

### 證人

#### *公開研訊*

嘉科工程顧問有限公司項目總監  
Anthony J W KING 先生

嘉科工程顧問有限公司項目經理  
吳兆祺先生

# Legislative Council

## Select Committee to Inquire into the Background of and Reasons for the Delay of the Construction of the Hong Kong section of the Guangzhou-Shenzhen- Hong Kong Express Rail Link

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Verbatim Transcript of the Ninth Hearing  
held on Tuesday, 10 November 2015, at 9:30 am  
in Conference Room 3 of the Legislative Council Complex

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### **Members present**

Hon Martin LIAO Cheung-kong, SBS, JP (Chairman)  
Hon Tony TSE Wai-chuen, BBS (Deputy Chairman)  
Hon LEE Cheuk-yan  
Hon CHAN Kam-lam, SBS, JP  
Hon Claudia MO  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Frankie YICK Chi-ming, JP  
Hon WU Chi-wai, MH  
Hon Gary FAN Kwok-wai  
Hon Charles Peter MOK, JP  
Hon CHAN Han-pan, JP  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP

### **Member attending**

Hon Abraham SHEK Lai-him, GBS, JP

### **Member absent**

Hon TANG Ka-piu, JP

### **Witnesses**

#### *Public hearing*

Mr Anthony J W KING  
Project Director, Jacobs China Limited

Mr William NG  
Project Manager, Jacobs China Limited

**主席：**

請證人及陪同人士進場，謝謝。

首先歡迎各位出席"調查廣深港高速鐵路香港段建造工程延誤的背景及原委專責委員會"的第九次公開研訊。

今日向專責委員會作證的證人是嘉科工程顧問有限公司項目總監 **Anthony John William KING** 先生，以及嘉科工程顧問有限公司項目經理吳兆祺先生。歡迎兩位。

專責委員會已經同意 **Mr KING** 及吳先生的要求，可有陪同人士出席研訊。**Mr KING** 及吳先生的陪同人士是嘉科工程顧問有限公司的集團高級律師 **Ms Jennifer KERKIN**。我請大家注意，上述陪同 **Mr KING** 及吳先生出席的人士均不可向專責委員會發言。

本席提醒證人，本專責委員會沒有獲立法會授權行使《立法會(權力及特權)條例》第382章第9(1)條的權力，因此證人不受第382章賦予證人的特權所保障。在訊問過程中，根據第382章第18條的規定，對專責委員會提出在研訊主題上具關鍵性的問題，蓄意給予虛假的回答，或向專責委員會提交虛假、失實、捏造或捏改的文件，而意圖欺騙專責委員會，即屬犯罪。我相信證人會真誠地協助委員會的工作。

專責委員會已經制訂本身的《工作方式及程序》，我請大家留意以下幾點。首先，第382章所訂的議員特權，只適用於研訊的過程，所有議員，包括非專責委員會委員的議員，都應該避免在研訊過程以外的場合發表與研訊有關的意見。另外，我想藉此機會提醒旁聽今日研訊的公眾人士及傳媒人士，在研訊過程以外場合披露研訊中提供的證供，將不受第382章所保障。所以，如有需要，各位人士及傳媒朋友應該就其法律責任徵詢法律意見。

在稍後的過程中，我會要求證人就其曾經向專責委員會提交的陳述書作出確認，將陳述書納入為專責委員會的證據，並上載至立法會網頁，供公眾查閱。現在時間到了，並有足夠的法定人數，我宣布研訊開始。

Anthony KING先生及吳兆祺先生，你們曾於2015年10月20日向專責委員會秘書共同提交一份證人陳述書，即專責委員會文件第W13(C)號。Anthony KING先生，你現在是否正式向專責委員會出示該份證人陳述書作為證據？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes.

**主席：**

吳兆祺先生，你現在是否正式向專責委員會出示該份證人陳述書作為證據？

***Mr William NG, Project Manager, Jacobs China Limited:***

Yes.

**主席：**

為方便列席的公眾人士及傳媒跟隨專責委員會的程序，我們會應他們的要求將閣下的陳述書向他們公開。你們對剛才提交的陳述書有否即時的補充？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

No.

***Mr William NG, Project Manager, Jacobs China Limited:***

No, Chairman.

**主席：**

OK，好。我提醒各位委員，根據專責委員會《工作方式及程序》第15段，在公開研訊中，委員只應為確立與專責委員會的調查相關、並屬調查範圍內的事實而提問。委員不應在研訊中發表意見或作出陳述。我會根據《工作方式及程序》第16(e)段，決定某條問題或某項證據是否與專責委員會的職權範圍所載的調查相關、並屬調查範圍內的事宜。而根據《工作方式及程序》第16(f)段，委員可以提出簡短的跟進問題，以圍繞原來問題追問更詳細的答案，或要求澄清所給予的答案。而我作為主席有酌情權，決定某條問題是否屬於跟進問題，以及

應否容許委員提出該問題。另外，每名委員的提問時限是10分鐘，包括證人的回應。委員可以選擇向一位或兩位證人提問。

就今天的研訊，我先向兩位證人提出第一條問題。根據兩位的陳述書第13段，貴公司受聘於路政署，出任路政署的監察和核證顧問，即M&V consultant，以協助該署就高鐵香港段項目進行監察和核證的工作。陳述書第3、4段表示，你們兩位自2009年起正式參與高鐵香港段項目的工作。請兩位向專責委員會簡述，你們以及貴公司自2009年起就高鐵香港段項目的參與，謝謝。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Thank you, Mr Chairman. We started, in 2009, on the first stage of the M&V, which was the design and investigation stage, and we were engaged by the Highways Department to assist them in their monitoring and verification role. We put together a team to look at the quality/safety programme and cost issues around the project through the design period and carried out a number of reviews of design documents, preliminary design and detailed design. We carried out some reviews of some tender documents. We carried out audits on the work of the design consultants working with MTRCL. We were carrying out work with the Buildings Department where we had a team seconded to look at the designs submitted by MTRCL for the project.

**主席：**

Sorry, Mr KING，打斷你一會兒，你剛才說的team，編制有多大？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

The establishment of our team was about 22 full-time equivalents, which means that we had some people full-time and some people not full-time but 22 full-time equivalents, and we had access to about 30 experts on specific subjects within a normal high-speed rail project.

**主席：**

好，請你繼續。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

OK. And the key to our work was that this is a very large project and there is an enormous amount of documents and information, and so we could only approach this by sampling the documents. We did this by carrying out a simple risk analysis of where the risks were likely to occur in the project, and based on that risk analysis which we carried out jointly with the Highways Department we were able to focus on the key areas where risks might occur.

The work that we did was all reported to the Highways Department in written reports on the documents we reviewed, by monthly report to the Highways Department and by presentation to the Highways Department where we explained and discussed with them the issues that were occurring.

In 2010, we were further asked to assist the Highways Department in the construction stage, which is the stage that we are working on now, and we went forward with a similar-sized team. But instead of them all being design-based, we have a monitoring team on-site. We have continued with our work for the Buildings Department. We are continuing to review documents but they are largely documents generated by the construction contracts. And again, we review documents and pass comments in writing to the Highways Department. And we have a small team on-site who is monitoring the site works. They, with the Highways Department, visit sites once a month to look at specific things facilitated by MTRCL. We are continuing to carry out audits of MTRCL construction management teams at the working level for each of the key contracts, and we are working on specific items that arise from time to time. And, as well as that side which dealt with the programme and the quality and safety issues and construction issues, we have a team involved in the finances of the project, assisting the Highways Department on a monthly basis and determining the build-up of costs as submitted by MTRCL.

***主席：***

你可否說一下，從2009年到現在你個人的參與情況如何？  
謝謝。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Well, in 2009, I was not in Hong Kong. I visited Hong Kong on a monthly basis. And my main responsibility was for the audits but, as Deputy Project Director then, I was also responsible, with the Project Director and the

other Deputy Project Director and the Project Manager, for helping to guide the team in the areas we should look at and how we should respond to Highways Department's requirements. That has continued from 2009 up until 2015 where, due to various circumstances, I became Project Director and, since then, since April of this year, I have been in Hong Kong full-time during the build-up to the current situation on-site.

**主席：**

吳先生，是否有補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

OK, thank you, Chairman. I am not going to repeat what Mr KING has mentioned about our role, our scope of work and how we carry out our work, but as far as myself is concerned, I have been involved in the XRL project since 2009 and being the Project Manager for the monitoring and verification consultancy services. And up till now, I am still the Project Manager for the Construction Phase M&V works.

**主席：**

是哪一個 phase？

**Mr William NG, Project Manager, Jacobs China Limited:**

The M&V, the second phase of the monitoring and verification. We call it "M&V2". The first phase is on the design and investigation phase, and we call it "M&V1". As Mr KING just mentioned, in 2010, we were engaged in the second phase, which was monitoring the construction works. We call it in simple term, we call it "M&V2", "MV2". OK. So, I have been engaged as the Project Manager since 2009 and up till now, I am still the Project Manager for the M&V works.

I am the key point of contact between our company and our client, the Highways Department; and my main responsibility is to manage and coordinate the works of our Project Team to ensure adequate resources and also appropriate resources are deployed onto the project at appropriate time, so as to make sure that we have a quality deliverable to our client.

**主席：**

兩位可否跟委員會闡述，你們在工作上曾否遇到特別大的困難？無論是個人方面也好，貴公司方面也好。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

I do not think we have met any difficulties, based on our expectation and our client's expectation of what we are required to do.

**主席：**

是完全沒有 difficulties，完全沒有遇到困難，是嗎？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

In carrying out our services, no difficulties, no personal difficulties. As you can see from our statement, at some stages, information was hard to obtain from MTRCL but no difficulties with MTRCL in terms of the work we had to do, for example, our audits on-site, our site visits and the monthly progress meetings that we held with MTRCL contract managers.

**主席：**

是，吳先生。

***Mr William NG, Project Manager, Jacobs China Limited:***

Well, generally, we did not have too much difficulty in our works. Occasionally, we might have some difficulty in getting information from MTRCL because we had a system of requesting document from MTRCL via the SharePoint system, which was established at the commencement of our work, and we made our request for the documents and MTRCL would generally forward all these documents to us. Sometimes, it might take a little bit longer than expected but we did receive the document. But for some of the sensitive documents like the overall master programme, we might have difficulty obtaining that instantly first-hand information, so that is why, strictly speaking, in terms of difficulty, this might be one of the areas that we are facing with some sort of ...

**主席：**

可否與我們分享是哪一類型的資訊及文件 .....

***Mr William NG, Project Manager, Jacobs China Limited:***

In particular, information related to the overall master programme because we kept asking for updating of the overall master programme. We did receive construction or contract programme for individual contracts, so we

had knowledge of the progress of each individual contract and how the delay of each individual contract was impacting on the overall master interdependency, adjacent contractor works or adjacent contract. That is the information that we sometimes might not be able to have the first-hand information.

**主席：**

OK，盧偉國議員。

**盧偉國議員：**

多謝主席。我首先跟進嘉科公司及港鐵公司就監督這項工程時在溝通上的問題。正如剛才主席提問的方向一樣，其實吳先生剛才亦提到 project programme 的問題，而陳述書第96段亦提到，在2011年6月嘉科公司曾經要求港鐵公司提供 overall project programme，但當時港鐵公司未能提供。這是否獨立專家小組報告第3.16段所指的綜合工程總綱計劃，即 integrated master programme？Overall project programme 是否等於 integrated master programme？港鐵公司於事後有否補充這方面的資料？

另一個也是相關的問題，同樣是溝通的問題。陳述書第136段提及，在2013年9月，港鐵公司向路政署及嘉科公司提出局部通車方案。貴公司是否在此時才首次知道局部通車的方案？路政署有否就局部通車方案的可能性諮詢兩位呢？

**主席：**

Mr KING，吳先生。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

In answer to the first question, the project master programme and the integrated master programme are the same thing. And in terms of the MOR<sup>1</sup>, we had one presentation and that was the first time that Jacobs had knowledge that there was an MOR proposal on the table. I cannot say any more because, after that date, we had no direct involvement in the MOR.

**主席：**

吳先生。

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<sup>1</sup> 秘書處補註：MOR詳寫為 "Minimum Operating Requirements"。

**Mr William NG, Project Manager, Jacobs China Limited:**

The presentation, Chairman, the presentation to us was on, if I remember correctly, August 2013. Is that right?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Yes.

**主席：**

OK.

**Mr William NG, Project Manager, Jacobs China Limited:**

So that was the first time we were aware of the MOR.

**主席：**

OK。

**盧偉國議員：**

我想跟進的是，你們沒有再就MOR，即局部通車方案，作出任何跟進或討論，對嗎？

**主席：**

有請兩位。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We had no further formal discussions on MOR with our client or with MTRCL.

**主席：**

OK。

**盧偉國議員：**

OK。主席，我想進一步問，前路政署署長韋志成先生於2015年6月2日的研訊指出，整個項目最後分成40多份不同的合約，每份合約都有開工期。韋志成先生表示，"我覺得我們詳

細分析時不應只看完工期，更要看合約的開工期，如果開工期延遲，而完工期沒有作出調整，緩衝期自然就少了”。不知道兩位是否認為港鐵公司沒有調整延期批出的工程合約的完工期，是造成多份合約工期滯後的原因？

**主席：**

有請兩位。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

The most significant delay to award was contract 810A in WKT<sup>2</sup> and that was finally awarded three months late, and we reported that to our client at the time as being a risk.

**盧偉國議員：**

我想跟進 .....

**主席：**

Sorry，吳先生有沒有補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

No, Chairman.

**盧偉國議員：**

你們提出了問題，但港鐵公司是否沒有對此作出任何回應或調整？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We raised that issue in our monthly report to our client. In the vast quantity of other reports that went through to MTRCL and this is not the fact that I know. This issue was probably raised, but we certainly raised the issue of a delayed award of 810A a number of times in the run-up to the award of

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<sup>2</sup> 秘書處補註：WKT詳寫為“West Kowloon Terminus”。

that contract because it was clearly the largest and most difficult contract and it was awarded last.

**主席：**

盧偉國議員。

**盧偉國議員：**

好，主席，我想繼續提問。陳述書第33段提到，貴公司會利用港鐵公司的項目綜合管理系統，即PIMS，檢視高鐵香港段項目的相關文件以作監察。韋志成先生在2015年6月2日的研訊亦有作補充，指監核顧問，即嘉科工程顧問有限公司，可以直接進入港鐵公司的系統，從而得知承建商的資料，包括承建商向港鐵公司提交的信件，但不包括附件。如果監核顧問認為此等附件的內容有助其進行監察工作，便可以透過恆常機制向港鐵公司索取承建商的相關附件。請問兩位，當你們的團隊進入港鐵公司的項目綜合管理系統時，即進入PIMS時，有否受到港鐵公司任何的限制？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Just a clarification. The PIMS is MTRCL's project management system. It is their procedures in carrying out their construction management and we have access to the PIMS and to the revisions to the PIMS for our work to date. In fact, we reviewed the PIMS at the start of our assignment and we review each of the PIMS as they are updated by MTRCL as they move forward.

**主席：**

吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

Regarding the access into the system to obtain the information, I think Mr LO is probably referring to the SharePoint system that was set up at the start of our project. Well, we do have access to the system to obtain or to view the documents, whether online or to request for the documents. As I

mentioned just now, we would make the request based on our risk analysis and risk items, classify what sort of documents we would like to review, and then send our request to MTRCL via our client, and then we would get the documents afterwards.

**盧偉國議員：**

主席，我想進一步提問。路政署鐵路拓展處處長陳志恩先生於本年10月20日的研訊曾指出，港鐵公司並沒有制訂一個綜合工程總綱，但我們知道其實港鐵公司有一個工程總綱，master plan，並賦予每份工程合約各自不同的時間表。請問兩位對此有何看法？港鐵公司是否欠缺一個綜合的工程總綱計劃，以致各方無法掌握哪些合約對於項目的竣工日期至為關鍵？

**主席：**

有請兩位，首先是Mr KING，謝謝。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I think, in terms of "master plan", you are referring to the master programme which is the timeline for the project. MTRCL did have a master programme. They had contract master programmes for every contract which, under the terms of the contracts, were the programmes that were used in contractual terms. That was converted into a project master programme which also included the interface between the contracts and through to the testing and commissioning, which was not necessarily contract-based.

MTRCL certainly had that and, to our knowledge, they used that in terms of planning the works that were to come. But that master programme which we saw at, sometimes, audits, when it was tabled, was never released to us for reasons that MTRCL may tell you. But the point about the master programme was that its criticality is based on the critical path to completion and not necessarily the progress.

**主席：**

吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

Chairman, no more supplement.

**主席：**

OK，盧偉國議員。

**盧偉國議員：**

貴公司在這個項目中擔任如此重要的工作，但卻似乎未能掌握工程總綱計劃，這樣會否影響你們執行合約所訂的職務？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We requested the master programme because it would have assisted us in our work as it would have assisted our client, the Highways Department; but MTRCL was very transparent in their reporting of progress and target dates and very transparent in their reporting of contract target dates. And, while it may have affected our ability to understand when the completion date was, as it was shifting, it did not prevent us from reporting on a regular basis that the project was late, that the delays were mounting, and that the delays were eventually going to affect the completion date of the project.

**盧偉國議員：**

主席，綜合剛才對於幾個問題的回應，請問兩位證人會否感覺在工作上出現"只見樹木，不見森林"的狀況？即你們只掌握個別細節，但卻看不到整體計劃。是否有這樣的感覺？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Do you think you could ask that question again? Sorry, I ...

**Ir Dr Hon LO Wai-kwok:**

我再重複一遍，或許我用英文陳述。From the response to the few questions that have been asked, I have an impression that in your carrying out of your work, it seems that you can see the trees but are unable to see the

whole forest. That means you may have the details about individual projects or individual programmes, but the overall plan is not what you can master.

**Chairman:**

What the Honourable W K LO is saying is that, while you have appraised all the minute details of the development of the project, you have missed the overall progress, the overall plan, of the project, especially, I think, with regard to completion.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Thank you, Chairman. With respect, our role was to have a higher level view, and from very early on in the project, we had an overview of the programme and that is why we reported consistently that the project was in delay due to the various component delays of the various contracts. And if the delays continued and were not recovered, there was going to be a risk to the end date of the project. And that reporting was consistent. As we moved into, I believe, 2012, we then made our own simple analysis of what the delays meant in terms of completion date and, again, that was reported to the Highways Department on a regular basis.

**主席：**

吳先生，可否補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

As Mr KING just said, well, we have gathered information on all the progress of individual contracts, and from information that we received, we made our simple analysis. As we have said, we are only on a high level, we do not have all the necessary information to carry out a detailed independent assessment of the likely completion day. We could only do whatever we could basing on the information that we had in hand. With a simple estimation or analysis, we came up with a project delay as early as in 2012 and then we made our report to our client, the Highways Department. I think, overall, we do not see there is any problem with our work as far as the detail of the project or even as an overall view of the overall situation of the project is concerned.

**盧偉國議員：**

主席，可否再 .....

**主席：**

好，最後一條問題。

**盧偉國議員：**

最後一條問題，好的。請問兩位在提出報告、指出問題後，有否覺得港鐵公司及路政署重視並確實跟進這些問題？雙方有否就你們的意見或所指出的延誤情況進行應有的跟進工作？

**主席：**

是，Mr KING。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Just one point of clarification. Our relationship was with the Highways Department. We were assisting them in their M&V works. We had no direct relationship with MTRCL except at audits but no other direct relationship with MTRCL at all. We operated at what has been called the third tier of the three tiers of M&V, and we were reporting to our client on a regular basis and we attended briefing meetings with MTRCL on the construction progress of contracts. As well as the extracts from the reports that we have in our statement, we also presented our findings on a monthly basis to RDO<sup>3</sup> and they took them forward. But in what form they took them forward and how those were discussed, we have no knowledge, no factual knowledge.

**主席：**

好，謝謝。下一位，胡志偉議員。

**盧偉國議員：**

吳先生有沒有補充？

**主席：**

吳先生，剛才的問題有沒有補充？

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<sup>3</sup> 秘書處補註：RDO詳寫為 "Railways Development Office"。

**Mr William NG, Project Manager, Jacobs China Limited:**

No, Chairman.

**主席：**

胡志偉議員。

**胡志偉議員：**

多謝主席。剛才聽了Jacobs兩位同事的回應，我希望弄清楚一點。Jacobs有權力、有渠道可以直接取得所有想知道的工程細節，是因為你們能夠接觸到PIMS，即進入PIMS。PIMS是否能夠讓你們取得所有工程的細節資料，卻不能取得 master programme？因此，你們只能 access 工程 piecemeal 的處境，卻不能得知 overall pictures，因為你們無法掌握 critical path to completion。我希望 confirm，對於剛才所聆聽的部分，我有否錯誤理解盧議員提問的內容。請先 confirm 這一點。

**主席：**

問題是，你們是否只知道個別工程合約的情況，卻未能掌握總體的情況，而這是因為沒有 master plan，即是綜合工程進度表？謝謝。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Thank you, Chairman. Just again, one clarification. The PIMS is a process for managing projects. The access to the documents was through a document management system called SharePoint and it was through SharePoint that we could access documents that were on SharePoint, by requesting through the Highways Department to MTRCL, and we requested the documents that we needed. And there were thousands of documents on SharePoint. We had to be selective and so we selected documents to assist us in the work that we were doing, and we did not get ...

**主席：**

我猜 Mr KING 不太明白這個問題。或許我協助胡志偉議員將問題 break down，你有沒有港鐵公司的綜合工程進度表，即 master plan、master programme？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We did not receive a copy of the master programme in the period leading up until April 2014.

***Chairman:***

"200-" what?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

2014.

***Chairman:***

2014。

***胡志偉議員：***

即是你於2014年後才取得master programme？

***主席：***

是，他回答了你的問題，他沒有。

***胡志偉議員：***

請兩位解釋一下，因為剛才我聽Mr KING說，你們不掌握critical path to completion。可否告知我們，critical path to completion對你們就整項工程進度的評估有何影響？

***Chairman:***

Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We did not see MTRCL's project master programme given to us as a whole document that we could review. It was tabled at various audits and so we could discuss it. We could ascertain what the critical path was, what the final contracts to be finished were, and what the elements of the final contracts that were to be finished that would impact on the opening of the railway and the opening of WKT were. But what we could not do was ascertain the impacts of the changing delays to the project in the changing to the critical path.

And again, we reported that when we were reporting on the progress that was declared by MTRCL and that we had observed ourselves that, while the reporting method that was being used for reporting delays was fine and it was accurate, the criticality of the critical path was the important thing.

**胡志偉議員：**

請問 Mr KING，你們有否因為無法取得 critical path 進行 independent assessment，而將此要求告知你們的 client，即 Highways Department，是否曾經 through Highways Department 要求 MTRCL 提供 master programme 或 critical path .....

**主席：**

你們有否透過路政署，即你們的 client，要求港鐵公司提供 master programme?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We did.

**主席：**

OK。甚麼時候向路政署提出此要求？就說第一次吧。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

It was certainly in the very early days of the project. In fact, there is a paragraph in our report which specifically refers to the master programme. I cannot find it at the moment.

**胡志偉議員：**

主席，可否這樣？因為這個都 .....

**主席：**

或許請你們於稍後以書面方式提供給我們，說明你們於何時第一次向路政署提出 master programme 的要求，好嗎？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Yes.

**胡志偉議員：**

主席，我希望要求多些資料，不止第一次。

**主席：**

好。

**胡志偉議員：**

因為他們可能重複又重複地向 Highways Department 作出要求。但我們所聽到的，似乎直至 2014 年 4 月之後，Jacobs 才掌握到 master programme。所以我希望知道由 Jacobs takes up 此 job 開始，其 on and on requests for 該 master programme 的情況。

**主席：**

Sorry，你要求的是甚麼？

**胡志偉議員：**

即 master programme。因為每一次他們都可能因為得不到該 master programme 而影響他們對整個工程進度的評估。

**主席：**

是的，當然。

**胡志偉議員：**

然後他們自然會要求 Highways Department .....

**主席：**

要求提供該 programme。

**胡志偉議員：**

..... 提供該文件。Highways Department 可能有處理或沒有處理，但總會有 feedback，我想看到這個 responding 的過程。

**主席：**

是。Mr KING和吳先生，你們能否提供這麼多年以來有關就取得港鐵公司的master programme向你們的client路政署提出的所有要求，以及路政署的回應，如果有的話？你們可否提供這些資料？謝謝。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Mr Chairman, our reports and the work that we do are the property of the Highways Department and, therefore, any release of the documentation will have to come through them.

**主席：**

是，或者你問問他們，好嗎？如果 .....

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Certainly.

**主席：**

..... 他們不允許你提供的話，你再回覆我們，好嗎？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Yes, Chairman.

**主席：**

好嗎？謝謝。

**胡志偉議員：**

OK。主席，我想跟進的第二個部分是，我相信site visits是整個監督工作中頗重要的部分。根據文件指出，所有site visits都須arranged或assisted by MTRCL。問題一，site visit是否每次都有specific purpose？也許不一定每一次，是否經常會有specific purpose，為了一個specific question而進行site visit？進行site visit時是否必須事先與Highways Department溝通，inform、fully inform、fully brief Highways Department有何specific的問題，希望透過site visit可以find out？而進行site visit時，由於需要request MTRCL提供assistance，以

便進行 site visit，你們是否需要將 visit 的 purpose inform MTRCL 才可以進行？完成 site visit 後，是否會有 full report、full findings 以 inform Highways Department，告知其你們有何 comments，覺得應該如何處理你們所希望能夠處理到的，即有關該 specific purpose 的事宜？

**主席：**

你可否重複你的問題？簡潔地重複問題，因為連我也不太明白你的問題。

**胡志偉議員：**

OK。其實我的問題是一連串的。或許我一步一步來，好嗎？主席，不好意思。

**主席：**

好，好。

**胡志偉議員：**

是否每一次的 site visit 都是 with specific purpose 的？Say "Yes" or "No" 就可以。

**主席：**

是，Mr KING。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Chairman, I will just have to explain the protocols behind the site visit.

**主席：**

好。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

At the beginning of our work, the Highways Department and MTRCL had agreed the protocols. One of the issues was that our work should not interrupt or interfere too much with MTRCL's work and site teams, which is reasonable. And therefore, it was agreed that, on a monthly basis, we could visit the sites that we selected and which we agreed with the Highways

Department beforehand because they had a team of engineers themselves that were monitoring each of the sites. We then put together a programme of visits. We would not visit every site every month. We would visit the sites where we knew there were things of interest and issues that we had seen in MTRCL reports and we knew about. We were specific about the site visits and, within the site visits, we told MTRCL what we would like to see in the site visits. And during the site visits, we talked to MTRCL's site teams on-site. On some, we were given a briefing, before we went out to the site, on the progress and what would be seen that day. And at the end of each site visit, we prepared a report for the Highways Department which they would keep on record.

**胡志偉議員：**

OK。其實 Mr KING 已回答我的 concern。如果這樣，請 Mr KING 說明，因為聽起來就是，每一次 site visit 其實是為了一些 Jacobs 有興趣的內容及題目。我不知道是否可以將 site visit 每一次的 specific 內容，得出的 findings 和 report，以及 Highways Department 的反應，提供一個 summary 給我們，作為一項資料？

**主席：**

你是說審核 audit 過程的資料？

**Hon WU Chi-wai:**

No, I am talking about the site visit.

**主席：**

是。

**胡志偉議員：**

剛才 Mr KING 說，每一個 site visit 都要 look into something of interest to monitoring 或者 .....

**主席：**

OK。

**胡志偉議員：**

..... 他所看的工作。

**主席：**

是，Mr KING和吳先生，可否提供這些資料？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Chairman, similar to my previous answer, all those reports were produced in confidence for our client and it would be up to our client to release them.

**主席：**

或者像上次一樣，你向路政署說明專責委員會有此要求，如果它不同意你提供有關資料，你再書面回覆我們，好嗎？謝謝。

**胡志偉議員：**

主席，我還想問Jacobs在Project Control Group的情況，因為這牽涉到MTRCL提供一些追趕落後的工序時，即所謂 .....

**主席：**

DRM。

**胡志偉議員：**

..... delay catch-up remedies。我想問Jacobs在此Group中的角色。

**主席：**

有關港鐵公司提出的delay recovery measures，你們有否參與此程序？謝謝。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We were involved in the process for delay recovery measures in that we reviewed the PCG papers that were submitted to the PCG meetings and made comments to the Highways Department on those papers. We did not attend the PCG meetings ourselves.

**主席：**

胡志偉議員。

**胡志偉議員：**

OK。Highways Department是否在2012年才開始receive貴公司指出，MTRCL所作的delay recovery measures是沒有甚麼實際成效的？我希望confirm那個date。

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I think, as a preamble to that, all of the delay recovery measures that were proposed were, at the time, proposed in good faith as being items that would improve the out-turn of the project. We reported at certain stages that, despite the implementation of delay recovery measures, the programmes were still slipping.

**主席：**

是。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Were still slipping.

**主席：**

剛才那條問題，你是否已回答完畢？

**胡志偉議員：**

主席，因為他們的statement是這樣說的，於2012年他們指出，delay recovery measures的實際成效存疑。我便希望問清楚，Highways Department是否在那時才第一次知道此信息，以及Highways Department的反應。

**Chairman:**

Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes, I am just thinking. I do not know whether that was the first time the Highways Department .... In this statement, that was the first time we reported it. We probably reported it at other times. The fact that although there had been delay recovery measures implemented, the programme was still slipping.

**主席：**

是。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Now, whether that statement was specifically to a specific delay recovery measure or whether it was a generality of the programme slipping even though delay recovery measures had been implemented, I cannot say for a fact.

**主席：**

我想跟進同一方向的問題。我們都清楚Jacobs於2012年已向路政署提出有滯後的情況開始出現，一直到2013年年底，如果不做點工夫，就應該會出現滯後11個月的情況。其實它從開始就一直用很多DRMs嘗試挽救情況，但一直不成功。當你見到滯後的情況越來越大，你有否向路政署給予任何意見？你見到滯後情況由一開始時很小，慢慢越來越大，你與路政署方面是如何處理呢？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Chairman, our role was to observe, to review and to report. And we reported to the Highways Department through our monthly reports, at monthly meetings and through our review reports; and we reported the delays, the escalating delays, and then some assessments of what those delays would mean for the end date of the project. As I said, we operated directly with the Highways Department. Any discussions that the Highways Department had with others I have no knowledge of.

**主席：**

以你的專業意見，因為工程完工的目標日期應該是2015年8月，而當時是2013年，根據你們的報告，應該有11個月的滯

後情況。由2013年11月至2015年8月期間，要追回11個月的滯後情況，以你的專業判斷，以Jacobs的專業判斷，這是否一個可行的做法？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

With respect, Chairman, I am not sure I am here to give an expert opinion. At the time that the delays were occurring, we reported the delays, we quantified the delays, and we pointed out that, if the delays were not resolved, what the impact would be on the completion date.

**主席：**

好，明白。那麼我withdraw我的問題。

胡志偉議員，對不起，打斷了你的問題。

**胡志偉議員：**

主席，我一直還未聽到答案，我想知道當嘉科report該delay的情況時，Highways Department的response to嘉科，以及有否給予嘉科任何instructions去跟進此事？

**Chairman:**

Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We were in dialogue with the Highways Department at the meetings; we discussed the seriousness of the delay; and we continued doing the work that we had been doing to look at the key critical activities and to continue reporting to the Highways Department.

**Hon WU Chi-wai:**

So you did not receive any comments or instructions from the Highways Department on the delay of the project?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

There were plenty of discussions and comments by the Highways Department. The whole Project Team was concerned about the delay but I do not recall, personally, whether we received a written instruction to do

something. But the Highways Department, we and MTRCL were fully aware that there were delays.

**主席：**

好。下一位是田北辰議員。

**Hon Michael TIEN Puk-sun:**

Mr KING, the contract that you were awarded by the Government was close to a hundred million dollars?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Sorry?

**Hon Michael TIEN Puk-sun:**

The contract that the Government awarded you, was it close to a hundred million Hong Kong dollars?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Eighty-five million.

**Hon Michael TIEN Puk-sun:**

OK, close to a hundred million, 85; and that is all taxpayers' money. The nature of the contract that you signed with the Government, I am getting very curious now, was it basically to answer each and every question that the Government asks; and if they do not ask, you do not volunteer? Or was there a general spirit to ensure that the contract was completed on time and that there was no cost overrun? How would you conceive of the nature of that HK\$85 million contract?

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I am not sure exactly what your question is. Are you ...

**Hon Michael TIEN Puk-sun:**

What is the purpose of that contract?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

That ...

***Hon Michael TIEN Puk-sun:***

... that the Government awarded you?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

MTRCL was, if I can put it into context, MTRCL was awarded the job of delivering the XRL project because of its track record and history of delivering similar projects. It was done under a new form of contract for Hong Kong, a so-called "concession" arrangement, with an Entrustment Agreement, and we ...

***Hon Michael TIEN Puk-sun:***

That we all know.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes.

***Hon Michael TIEN Puk-sun:***

My question is the contract the Government awarded you.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

And the Government was ...

***Hon Michael TIEN Puk-sun:***

What were you supposed to do?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

The Government was carrying out M&V services and we were assisting the Government in carrying out those services to review the work of MTRCL, to assess whether they were delivering the project in accordance with their processes and they were complying with good practice in safety and quality and ...

***Hon Michael TIEN Puk-sun:***

OK, so strictly giving advice, not to use your best endeavour to advise the Government to work with MTRCL to make sure that the project was completed on time, right? There is a big difference.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

I am sure that ...

***Hon Michael TIEN Puk-sun:***

One is simply to give advice ...

**主席：**

Sorry，田北辰議員，你可以讓他回答嗎？你已提出問題。

Please answer the question, Mr KING.

***Hon Michael TIEN Puk-sun:***

The spirit. I am asking about your understanding of the spirit of the contract.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

The spirit of the contract was us working with the Highways Department whose main endeavour was to ensure that the project was delivered on time, but the delivery of the project was in the hands of MTRCL.

***Hon Michael TIEN Puk-sun:***

Great, great, great. So your understanding is that the spirit of the contract is to work with MTRCL through the Government to ensure that the project was completed on time. OK, now, if that is the case, then I would like to know, the first time you attended the so-called PSC<sup>4</sup> meeting was in February 2015, correct?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Correct.

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<sup>4</sup> 秘書處補註：PSC詳寫為"Project Supervision Committee"，即"項目監督委員會"。

***Hon Michael TIEN Puk-sun:***

Prior to that, you had never attended the PSC meeting which was actually very, very crucial because that is a direct interaction between the Government and MTRCL where everything and anything would be asked and answered. OK. So my question then becomes, you signed a contract worth \$85 million taxpayers' money with the Government and you knew perfectly well that your main job was to help ensure that it is completed on time, but you were not even invited to the PSC meeting until all hell broke loose in 2014. Do you accept that? Did you fight for attendance at these meetings? Did you actually ever tell the Government that, "Well, if we are not allowed to attend these meetings, there is no way I can do my job. You know, I have to resign from my contract"? Do you feel that attending these meetings is critical for you to really understand this whole thing rather than keep reading papers and papers and charts and charts?

***主席：***

是，Mr KING，請你回答，你覺得出席這些會議是否重要？即不止是看文件，而是直接出席會議，對你的工作是否很重要？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

The protocols and the methodology under which we carried out our work were as directed by our client. Our client required us to support them in the work that we did and we were not invited to the PSC meetings.

***Hon Michael TIEN Puk-sun:***

Did you ask to be invited?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

I do not recall. I was not here all of the time.

***主席：***

吳先生，你們有否曾經提出要求？

***田北辰議員：***

你們公司收取了8,500萬納稅人的錢的contract .....

**主席：**

Sorry，田北辰議員，或許先讓吳先生回答。

**田北辰議員：**

主席，我想先問完我的問題，好嗎？現在是我提問，OK？

**主席：**

OK。

**田北辰議員：**

你收取了8,500萬納稅人的錢，你承認主要的精神是盡你所能，使這項目能夠如期完成。他們卻沒有邀請你出席此會議，那麼你有否強烈要求？

**主席：**

吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

Chairman, I need to clarify one point because our main role is to monitor, carry out the M&V services to ensure that MTRCL is carrying out its work in accordance with its project management system and in accordance with the Entrustment Agreements. We are not obliged to ... for the problem that arises during the course of the construction that causes the delay. As far as I recall, the protocol for our monitoring system was set up at the start of our services and we were directed by our client to carry out the works in accordance with the brief that we were given.

**田北辰議員：**

主席，時間有限。我的問題很簡單，你有否強烈要求，有還是沒有？

**主席：**

有沒有要求？吳先生，請簡潔地回答。

**田北辰議員：**

如此簡單的問題。

**Mr William NG, Project Manager, Jacobs China Limited:**

We do not recall we have made such a request for attending the PSC but we can check but I cannot recall.

**田北辰議員：**

吓？吳先生，你是否在告訴我，你接受了一個這樣的合約，你也明白你主要的目的、使命，是要使其盡量能夠如期完工。但如此重要的會議，因為你是透過這些會議才知道港鐵公司的DRM是有效還是無效，又或是有沒有DRM，甚至可於會上詢問critical path。即使你沒有master project programme，都可以在PSC詢問critical path，是嗎？但直到2015年2月，你從來沒有出席，那你如何能履行你的職責？你的advice全部是based on港鐵公司所告知你的情況。你的責任是要在PSC質疑港鐵公司。為何你會忘記有否要求出席該會議？

**Mr William NG, Project Manager, Jacobs China Limited:**

Chairman, well, we have this three-tier system. The protocol set up with this three-tier system, we were directed by our client. Well, because at each tier, we have different people and we are assisting the Highways Department in the M&V works; and then our client, they also have a team of professional engineers who would also be sitting in this second level and the third highest level meetings up to the directors' level. So all our reporting was all in accordance with what we were asked to do and we ...

**Hon Michael TIEN Puk-sun:**

OK, all you were asked to do ...

**Mr William NG, Project Manager, Jacobs China Limited:**

... understood that the client or the engineers from the Highways Department would also bring forward our comment or our concern to the second level or even to the highest level meetings, to MTRCL and try to get the things resolved.

**田北辰議員：**

簡單來說，你忘記你有否要求出席該會議，是嗎？你忘記了？

**Mr William NG, Project Manager, Jacobs China Limited:**

Yes, we were never asked to attend this PSC meeting.

**田北辰議員：**

No，我的問題不是問它有否邀請你，我的問題是你與政府簽了合約，除了商業考慮，你也有責任吧，這是公帑。你看不過去也應該發聲。它沒有邀請你，如果它甚麼文件都不提交給你，你是否甚麼也不問？不會這樣吧？

**Mr William NG, Project Manager, Jacobs China Limited:**

Of course not.

**田北辰議員：**

對了。竟然整個過程，8,500萬公帑的合約，你開聲要求說："路政署，如果你真的希望我能夠幫助你，我必需出席此會議提出問題，否則，我會讓港鐵公司及文件牽着鼻子走。如果它一直只是說'相信我吧，相信我吧'，我也只能相信"。只要你出席，你就會知道DRM是否可行。為何你連問都不問呢？

既然你承認你忘記有沒有問，今天你回頭看來，是否覺得你們失職？

**主席：**

Mr KING或吳先生。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Sorry, what was the question again?

**田北辰議員：**

吳先生，你不能回答我嗎？我不想再翻譯，其實我可以用英文提問。吳先生，你能否回答，你覺得你們有否失職？

***Mr William NG, Project Manager, Jacobs China Limited:***

I do not think we have. Well, we followed all what we were asked to do, and I do not think we have made any mistake as far as we are concerned.

***田北辰議員：***

你原本說希望盡你所能使工程完成，但最重要的會議你卻沒有出席，因為人家沒有邀請你。你連自己有否提出要求都忘記了，而你身為一個顧問，我也不禁要質疑你的專業了，因為這些是公帑，對嗎？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Can ... may ...

***Hon Michael TIEN Puk-sun:***

Yes, please, Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

I understand that. May I just answer that? MTRCL was required to ensure the project was delivered. The Highways Department was monitoring what they were doing, but the responsibility for delivering the project was MTRCL and we were assisting the Highways Department. The Highways Department set out certain protocols. Some agreed with MTRCL about meetings and site visits and various other things. We followed those protocols and we reported consistently from the information we had about the status of the project, what was happening on the project and the delays and the consequence of the delays. And so, it is absolutely clear to everybody our view on the state of the project from 2011 up until 2014.

***Hon Michael TIEN Puk-sun:***

In November of 2013, all right, one month before December when you declared that projects 810A and B were 53 weeks behind. In November of 2013, did you still believe that any kind of DRM could salvage the situation?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

MTRCL was reporting that, despite the delays, they could recover.

**Hon Michael TIEN Puk-sun:**

I see. And you tend to give them the benefit of the doubt, just like the Government?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We were not in a position to give them the benefit of the doubt. We reported what we saw and what we read in the reports, and made our assessments and reported to the Government.

**Hon Michael TIEN Puk-sun:**

In your report to the Government in November of 2013, was that you did not believe it could be completed on time, or that subject to the effectiveness of the DRM, it could be completed on time? What exactly was your advice to the Government in November of 2013? Because even that meeting, you were not there?

**主席：**

田北辰議員，或許先讓他回答。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

No, we have subsequently seen the events that led up to the last quarter of 2013. We were not at any of those meetings. We were not appraised of any of those meetings. We were continuing with our work on-site in monitoring the contract programmes and the work that was being done on-site.

**主席：**

或者請等下一輪吧，田北辰議員。

其實田北辰議員提出了一個比較重要的問題，我也希望藉此機會替專責委員會澄清一個問題，就是有關你們的工作的。在此之前我聽到你們是一個 monitoring and verification consultant，我特別強調 "consultant"，即顧問，以及你們有職責確保工程如期、於目標完工時間內完成。但剛才你回答田北辰議員的問題時，似乎說你的角色是完全被動的，你只是被踢一腳便動一動，再踢一腳又動一動，是一個完全被動的角色，而不是扮演主動的角色。你完全不會給予任何意見。路政署吩咐你做甚麼，你便做甚麼；吩咐你做 audit，你便做 audit；吩咐你做 A，你便做 A；

吩咐你做B，你便做B；卻完全不會主動向你的client路政署提供專業意見。我這樣理解是否正確？究竟哪一個才是呢？最初你說要確保、協助路政署確保此目標完工時間，以及擔當一個consultant的角色，但現在根據你回答田北辰議員的問題，你卻不是擔當consultant的角色，只是一個mechanic的角色。請Mr KING及吳先生回答此問題，我想弄清楚你們的role究竟是甚麼。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Chairman, the responsibility ... and excuse me if I go back over this. The responsibility for delivering the project on time was with MTRCL. The Highways Department was monitoring their work and we were assisting them in the monitoring. We reported exactly what we had seen by reviews and site visits and we gave advice in our reporting and at our progress meetings about the status of the project and what would happen if the project continued in the path that it was going. And so it was not a passive role. It was proactive in terms of finding the information, sorting the information and presenting it to our client.

**主席：**

吳先生。

***Mr William NG, Project Manager, Jacobs China Limited:***

I think there is no more supplement.

**田北辰議員：**

主席，他連會議都沒有出席，又有何資格說他提供了意見呢？

**主席：**

他沒有出席，他說他沒有出席該些會議，甚至可能沒有要求出席該些會議。

范國威議員。

**范國威議員：**

謝謝主席。嘉科工程顧問雖然是政府聘請的獨立顧問公司，但我看到你們過去提出很多建議，似乎都沒有獲得政府及港鐵公司的重視，因此我們才質疑監察機制是否發揮作用。

主席，我有4個問題要向顧問公司提出。根據路政署署長劉家強先生於6月9日提交予專責委員會的補充資料，即文件編號G9附件2，獨立顧問曾經檢視過港鐵公司的地盤勘測及岩土報告，亦於2010年1月12日去信港鐵公司，就岩土報告提出3個關鍵的意見。請問顧問公司，你們提出這3個關鍵意見到底所指為何？而這3個關鍵的意見，根據你們的理解，是否構成日後工程延誤的因素？港鐵公司與政府有否正視你們這3個的意見？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Sorry, could you repeat the document number?

**范國威議員：**

好，是文件編號G9附件2，路政署署長劉家強先生於6月9日提交予立法會專責委員會的補充資料，是關於地盤勘測及岩土的報告。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I am not sure if we have got that with us. Thank you.

**主席：**

"William Ng"是吳先生，是嗎？

**Mr William NG, Project Manager, Jacobs China Limited:**

Sorry?

**主席：**

請問"William Ng"是你本人嗎？

**嘉科工程顧問有限公司項目經理吳兆祺先生：**

是。

**主席：**

這是你於2010年1月12日給路政署的一封信。

**Mr William NG, Project Manager, Jacobs China Limited:**

Yes.

**主席：**

是英文的。

**Mr William NG, Project Manager, Jacobs China Limited:**

Yes. Yes, we have the letter here.

**范國威議員：**

你們所說的critical observations。

**Mr William NG, Project Manager, Jacobs China Limited:**

Sorry, Mr FAN, can you repeat the paragraph that you are referring to?

**范國威議員：**

主要是2010年1月12日的信件，是你們寫給港鐵公司的。

**Mr William NG, Project Manager, Jacobs China Limited:**

Yes, I have got that letter here.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

No, it is to the Highways Department.

**Mr William NG, Project Manager, Jacobs China Limited:**

Our letter is to the Highways Department.

**范國威議員：**

你們是否說，就檢視港鐵公司的地盤勘測及岩土報告有3個關鍵的意見？

**主席：**

請問你們找到該封信件嗎？

**范國威議員：**

主席，是否要容後 ..... 因為我們還有第二節，或許我先問其他問題。

**主席：**

是，或許先問其他問題吧。

**范國威議員：**

是的，我不想妨礙各位。

**主席：**

是的。

**范國威議員：**

第二個問題就是，路政署署長於上次出席研訊時表示，路政署於監核港鐵公司的工程進度時，一直有一個判斷，就是工程滯後不等於最終會有延誤。我當然不認同此判斷。顧問公司於2013年7月已經估計，高鐵的完工日期可能會延遲差不多整整11個月，而顧問公司在陳述書第92段附表內亦指出，在2013年7月的每月進度報告中，你們確實有向路政署提出延誤11個月的估算，但路政署署長在出席我們的研訊時卻表示，獨立顧問，即你們，這11個月的估算是建基於一個基礎。這個基礎是甚麼呢？就是如果港鐵公司完全不採取任何追回進度措施，才會有這11個月的估算。路政署當時做了甚麼呢？就是

選擇信任港鐵公司，因此沒有聽取你們獨立顧問所提出的警告或溫馨提示。

請問顧問公司，你們到底是否認同路政署署長的看法？當時你們提出11個月的延遲，其實是否有考慮到港鐵公司採取追回進度措施的影響？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

The 11-month delay was our assessment based on the information we had from MTRCL which we reported to the Highways Department, and that was a raw calculation based on the situation at the time. It did not consider the impact of any future DRMs or any DRMs that were in the pipeline. It was a straight interpolation of the current delay to the end of the project.

**范國威議員：**

明白，好。主席，我第三個問題就是，港鐵公司行政總裁在上一次研訊中承認，工程的前期工作準備時間緊絀，令3份合約，即810A、810B及811A，3份涉及西九龍總站的合約須作出多次的修訂。修訂的次數對我來說是多得驚人，810A合約直至2013年6月，即幾年前，已經有13 513次的修訂。根據顧問公司所掌握的資料，這些合約的修訂到底能否避免？例如，如果港鐵公司有合理時間做前期的準備工作，是否有機會不需要出現如此多數量的合約修訂？而此等修訂對高鐵工程的進度，是否真如港鐵公司多次所強調，只是一些細微的修訂，並不會因為該等修訂而使工程出現延誤？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I am not sure if I can answer that question, except to say that on major construction projects, most drawings get revised a number of times from preliminary design through detailed design, and then when you get to site and

site conditions are understood. Apart from that, I cannot answer the specific question that you raise.

**主席：**

吳先生有否補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

No, Chairman.

**范國威議員：**

根據你們的專業判斷和過往的經驗，我說的是810A、810B及811A。港鐵公司不願意透露當中的細節。我只是說其中一份合約於兩年前的年中時已經有13 000次的修訂，這是否常態，是否正常？我們知道會有修訂，但次數多得驚人，3份合約的其中一份，在兩年前已經有13 000次的修訂。

**主席：**

Mr KING或吳先生請回答。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Apart from what I said in my earlier answer, I cannot make a judgement on those 13 000 revisions.

**范國威議員：**

你能否評論，如此多次數的修訂有機會導致工程延誤或滯後？你能作出判斷嗎？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I cannot make ... I am not sure I am here to make judgements. All I can say is ...

**主席：**

Sorry，不如這樣問，你是否知道有如此多次修訂，13 000多次修訂，當時你是否知道它們的存在？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

I cannot say. We did know that there were an enormous number of drawings on this contract, WKT, and that those drawings were being revised as the work progressed in the early stages. I cannot make a comment on that number.

**主席：**

不，我並不是要求你去評論這事，我問你是否知道該等修訂的存在，13 000多次的修訂？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Personally, I cannot say that I was aware of the 13 000 revisions.

**主席：**

吳先生呢？

***Mr William NG, Project Manager, Jacobs China Limited:***

Well, we knew there were changes in the design during the construction stage but we did not know the ...

***Chairman:***

Sorry, my question was specific.

***Mr William NG, Project Manager, Jacobs China Limited:***

We did not know the exact number of 13 000 ...

***Chairman:***

Were you aware or were you not aware?

***Mr William NG, Project Manager, Jacobs China Limited:***

Well, we did not know ... we were not aware of the 13 000 numbers.

**主席：**

OK。

**Mr William NG, Project Manager, Jacobs China Limited:**

But we were only aware of these changes, there were these changes ...

**主席：**

好，他們並不知道有該等修訂。

**范國威議員：**

明白，多謝主席的協助。

就剛才我的第一條問題，可否請他們在第二輪再回答？因為他們要翻查文件，關於那3個 critical observations，可以嗎？

**主席：**

Mr KING或吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

We only have the letter quoting that we have made three critical observations in our review but we do not have the attachment to the letter. That is why we have no knowledge of which three critical observations that we made, at the moment, so we have to ...

**范國威議員：**

主席，讓我找出來給他們吧。

**主席：**

好。

**范國威議員：**

在第二輪的時候。

**主席：**

好。你剛才的問題是否需要跟進？

**范國威議員：**

需要，我就是說能否在第二節跟進？

**主席：**

在第二節跟進。OK，我們小休10分鐘，好嗎？直至11時15分。

**(研訊於上午11時02分暫停)**

**(研訊於上午11時15分恢復進行)**

**主席：**

會議現在繼續。因為陳鑑林議員及易志明議員均不在場，毛孟靜議員，你可以發問。

**Hon Claudia MO:**

OK. It is quite a pity to hear them, Mr Chairman, reply often starting with the sentences like "I am not sure", "I cannot say" and "I cannot comment". Of course, they are not speaking under oath but it does give the impression that the entire project, as far as consultancy is concerned, has gone down the drain. As you were saying, they are supposed to be doing verification and monitoring. They are supposed to play an active role and they are independent, right? And the word "Entrustment" contains the word "trust". They keep saying, "MTRCL was in charge and the Highways Department was supposed to be monitoring", so what is their contribution? It sounds like zero.

Now, my question is, first of all, would you acknowledge the fact that, right from the start, you actually realized this completion deadline set for August 2015, now past, was not feasible at all and you took up the job anyway, thinking that it is surely easy? Question 1.

And my question number 2 is, you also said you just followed protocols and methodology set up right at the start; but then, you seem to be taking, as Mr Chairman was putting it most rightly, that you are being very passive. If you are not invited to go to any important meetings, "Well, so be it; it does not

matter", right? Would you not say that you have failed basically your responsibility? That is my question number 2.

And my third, if not last, question is, you did warn MTRCL or the Government, even, well, about the entire project, that there might be, there could be, an 11-month delay. Now, that is almost a year's delay, right? But then, the Highways Department decided not to listen to you. And again, once again, your attitude seemed to be one of, "Well, too bad". And you did reply earlier that, "Oh, it is just a very raw calculation." You took a lot of responsibility over this project to actively consult and advise, and you did advise at the end; but then, you did not get listened to and you did not find that a huge problem. So, ultimately, the last question is, would you say you have behaved in any way improperly, if not unethically? Thank you.

**主席：**

毛孟靜議員，你剛才說證人不是宣誓作供。其實是否宣誓都不重要，因為條例已說明，如果存心瞞騙專責委員會即屬犯罪。請就3條問題作答。Mr KING, please.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

OK, I will deal with the questions as I have got them here, if I may.

We came onto this project in the early days before the construction programme was determined, and during the course of our work in the design stage, we carried out a review of the construction programme and said it was extremely tight and difficult and any delays in the early months would be detrimental to the completion date. So we had no knowledge of the construction programme before we started, and during the course of our early work, we understood what the construction programme was.

The protocols were set up, first of all, between MTRCL and the Highways Department, and we were assisting the Highways Department in the work that they were doing. We were doing a specific area of work such as site monitoring and verification. And while there was a lot of work to be done in many areas, I do not think that we ever failed in our responsibility to review what was available and to report competently to our client on what we found.

And the last point I have got is about "behaved improperly". Certainly not. At no time did we behave improperly because we reported consistently what we found truthfully, we made assessments of what the implications of

what we found were, and our client has always accepted the work that we have done and has generally given us extremely good feedback from the work we have provided.

**主席：**

吳先生有否補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

No, Chairman.

**主席：**

毛孟靜議員。

**Hon Claudia MO:**

I need to follow this up. Now, you said you did issue reports and warnings. But when your advice and recommendations were not heeded at all, did you make any noise in your feedback, did you protest, did you tell them "No, no, no, this is simply not right. You have to listen to us"? Did you make any protest at all, any single one?

**Chairman:**

Mr KING, please.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We reported consistently, as I have said. We do not know specifically how our reports and views were taken forward in other forums that we did not attend. And we reiterated that advice on a regular basis, both in writing and at presentations to our client, and so I am sure that there was no doubt that everybody knew our views on what was going on inside the project.

**Hon Claudia MO:**

Mr Chairman, that was effectively saying that Jacobs simply did not follow up on what happens to their recommendations and projects. Is that what is being said here?

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Sorry, Chairman.

**Chairman:**

It is OK. Take your time.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

That is simply not the case. All of our work was reviewing, reporting and following up. In fact, the letter that we were just passed before the break, that we wrote to the Highways Department about the review we had done on the geotechnical, was a reiteration of findings that we had found in a previous report to raise the issue in a letter to our client. So I do not think I can accept that we failed in our responsibility because ...

**Hon Claudia MO:**

Well, in which case, Mr Chairman, now that we have got this sheet of paper right in front of us, Mr NG, who signed it, should just tell us what the three rather important critical observations which were contained are.

**主席：**

所謂的3項critical observations是甚麼，吳先生？這封信是你寫的，可否向我們說一說此問題？

**Mr William NG, Project Manager, Jacobs China Limited:**

Well, the letter was in 2010 and there is no attachment with the letter in front of me. I cannot recall what I have said in the letter about the three critical issues that mentioned ...

**主席：**

是。

**Hon Claudia MO:**

Now, Mr Chairman, obviously, one more time the answer started with "I cannot recall." Well, this is not good enough, do you not think? Right? So ...

**主席：**

他不記得就是不記得，我也沒辦法。

**Hon Claudia MO:**

I know. I mean, like the earlier allegations about the changes, the answer was, the reply to that question was, "We knew about the changes but we were not aware of the 13 000 numbers." So ...

**主席：**

毛孟靜議員，如果他說不記得就真的不記得。最重要的是，如果他沒有向我們說謊的話，他不記得，我們也沒辦法。是嗎？

**Hon Claudia MO:**

Well, once again, we don't know what we don't know.

**主席：**

OK。好，下一位是陳鑑林議員。

**陳鑑林議員：**

主席，如果吳先生忘記一些事情的話，為了我們專責委員會能取得資料作證，我希望吳先生回去翻查資料，然後再回覆我們。好嗎？

**主席：**

是，吳先生，可以嗎？

**陳鑑林議員：**

因為專責委員會想知道當時你們如何協助政府監察工程。希望你回去查查資料，好嗎？

**主席：**

是，吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

I can go back and check with our client whether we can release that information to the Select Committee.

**主席：**

如果他們不允許的話，你也要書面通知我們。好嗎？謝謝。

**Mr William NG, Project Manager, Jacobs China Limited:**

OK. I can report back to you.

**陳鑑林議員：**

OK。主席，我想問一問，剛才我留意兩位證人的作供，第一位證人說最初簽署合約時，他並不是長時間在香港關注此項工作，他是visiting的。請問你何時開始長時間在香港參與此項合約工作？這是第一點。第二點，你說有20多位同事full-time一起工作，其中也有part-time，即兼職的。請問有多少兼職員工，他們兼職的時間是多久，佔原有工作時間的比例為何？可否告知我們？

**主席：**

Mr KING及吳先生，請回答問題。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

First of all, on my own account, I started working on the project in August 2009. My role then was basically on the audits. I spent approximately half of my time in Hong Kong during that first year. When I had other responsibilities back in the UK, but much of the time in the UK, because of the intensity of this project, I spent working on this project.

We had a full team, a Project Director, a Deputy Project Director, a Project Manager and various other people who were fully employed on the project all of the time. I have no reason to believe that me not being here full-time had any detrimental effect on our services. I think Mr NG can probably answer the other question about the resources.

**主席：**

Yes，吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

OK. We report that we have about 20 to 22 people full-time equivalent working on the project but, in overall term, we have over 30 people altogether, with some working part-time. The number of people varies in various stages of the project. There will not be a definitive number at any point of time, I mean the number varies. Sometimes we may have 40 or 50; and sometimes we may have only 20-something. That depends on the situation that arises during the course of our consultancy that requires some expert advice or requires some more visits or some more reviews, then we will deploy more people to carry out our works.

**Chairman:**

Yes.

**陳鑑林議員：**

主席，我想請問Mr KING，你只有一半的時間參與這項工程的監察工作，而且並非經常在香港。你是透過何種渠道去了解整個工程的進度？在英國期間，你如何協助整個項目團隊的同事進行工作？

**Chairman:**

Yes, Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We had a full team in Hong Kong. We had a full team on-site. I had full access to all of the project reports from MTRCL and any other documents; and I was able to keep track of the progress and the issues either by email communication or by telephone conversations. We had a project meeting once every week and once every two weeks to discuss the work that was coming because the situation was changing, and I felt at no time was I not au fait with what was going on in the work that we were doing. I, clearly, was not familiar with all of the details of the work because everybody was doing their own job, but I am very confident that that situation had no detrimental effect on the services we provided.

**Chairman:**

Sorry, Mr KING, were you the head of the team at the time?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

No.

**Chairman:**

"No". OK.

**陳鑑林議員：**

主席 .....

**主席：**

陳鑑林議員。

**陳鑑林議員：**

我想再跟進一下，他整個Project Team有所謂的四大任務，  
即有4隊人員。我想知道上述20多名人員是如何分工？另外，  
兼職員工主要負責甚麼項目？由於他們不是全職工作，他們是  
如何履行職務的？

**主席：**

Mr KING及吳先生。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I think the word "part-time" is probably a misnomer. We have a pool of staff and whenever they were required to work on the project, they worked on the project. That required some of them to work part-time but it did not mean that they were restricted from working. It meant that, when they were not working on this project or were not needed for this project, they could do other things. We also had a team of people who were full-time, who were monitoring the project on a full-time basis, our so-called "core" team. But, for example, when we had to review a specific structural issue, our Senior Structural Engineer would carry out the review or would allocate it to somebody who was able to do the review, and they would do the review and that may be the only work they needed to do, that week, on that project. And

that is why, and it is the nature of these very, very large projects with a diverse range of expertise, which means that you have to have all the resources available but those resources need not be available full-time because they need to come in and focus on a particular event or a particular subject at any moment in time.

**主席：**

吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

No more supplement, Chairman.

**陳鑑林議員：**

主席，我為甚麼這樣問呢？主要是因為政府聘請顧問公司時，差不多把你們視為政府在監察此項目的重要成員之一，如果有些人是兼職員工，有些人不是全部時間專注這份工作，我們便會懷疑到底你們能否做好工作。特別是你們分成4個 teams，當中可能有兼職員工，甚至全部兼職員工都做某一個項目，我們如何相信你真的可以盡全力做好你的工作？因此，吳先生能否說明上述 20 多名人員如何分工，就 Monitoring Team、Review Team、Verification Team，還有負責 Financial Monitoring 這 4 部分的工作方面，你能否告知我們人手編配如何？

另外，剛才吳先生及 Mr KING 曾經提過，他們只是就所獲取的文件作出簡單分析，然後告知政府。請問甚麼是"簡單分析"？

**主席：**

是，Mr KING。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I think I used the word "simple analysis" in terms of estimating the potential delays to the contract based on the progress reports. The advice we provided when we were reporting on the documents produced by MTRCL was not simple. Some of the work that we did was very complex. And, again, I come back to the point that using part-time people was because the work that they were doing on a very diverse range of technical subjects was

only required at certain times and was not full-time. Therefore, I think that we did not set out to put a part-time team in. We set out to put a professional team in. Some of them contributed to the project on a period which was less than a full working week or full working month because some of the inputs were very, very specialist. This was a high-speed railway with technology and issues that were complex, and so some of the specialists we put into the team, we brought in for a specific subject at a specific time.

**主席：**

吳先生，有否補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

Well, in fact, well, actually, we got this core team and well, we have all the necessary resources input into the core team as and when required to carry out our services to the project. And under this core team, the four big tasks that we are required to do, we have these core team people looking after each of these tasks and they would be carrying out their respective tasks, spending whatever time that would require them to work on the task, so there is no problem with the resources that we have on the job.

**主席：**

好。

**陳鑑林議員：**

主席，他尚未回答甚麼是"簡單分析"？

**主席：**

是，你可否簡潔地回答此問題，甚麼是"簡單分析"？簡單回答何謂"簡單分析"。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

What can I say except ...

**陳鑑林議員：**

主席，讓我幫一幫他吧，看他能否從另一方面去思考。在合約中，政府如何要求你提供專業意見，有否寫明須進行"簡單分析"？或要求你就各項進展提供專業意見？可能是要詳盡的，

或是簡單的，可能只需寫幾個字或 "Yes" or "No" 便行。你如何履行合約要求你所做的事情？如果你說是很簡單的分析，用以提供予政府開會及了解，那麼你所看過的東西是否足以協助政府監察此項工程？你剛才也說此項工程是相當複雜的工程。

**主席：**

是。Mr KING，請簡潔回答，謝謝。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I think the word "simple analysis", with respect, is being taken out of context. It purely refers to the judgement that we made on the impact of the delays being reported on the programme and how that would convert into a potential delay to the completion date. The rest of the work we did required, in some cases, very complex review. And remember we were not designing, we were not checking, we were reviewing MTRCL to see whether they had gone through their processes in the correct manner in the design and construction of the project.

**陳鑑林議員：**

好，謝謝。

**主席：**

下一位是易志明議員。

**易志明議員：**

謝謝主席。我有一連串的小問題想了解一下。你們的文件第10段下半部提到，你們的工作是provide一個 "reasonable assurance that the MTRCL's obligations stated in the Construction Phase EA had been properly fulfilled by the MTRCL"。請問你們做了這麼久，以你們的專業意見，覺得MTRCL有否 properly fulfilled their obligations so far?

**Chairman:**

OK. Mr KING, please.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

As I have said, the project and the data and documentation on the project are enormous. We had to do our work by sampling the documents that MTRCL produced, by sampling the work on-site and by auditing. And at contract level, at the delivery of the project, we have seen that MTRCL has delivered the project in accordance with their requirements ...

**易志明議員：**

OK。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

... set out in their PIMS.

**易志明議員：**

你的答覆是正面的，即他們已 fulfil 其 obligations。

第二個問題，你們在第24段提到，"The team has no formal direct interface with the MTRCL except at audit sessions"。其實你們是否與路政署鐵路拓展處一樣，都是接收一些，怎麼說呢，因為你們沒有直接聯繫，也是接收二手資料。是否這樣？

**主席：**

是，Mr KING。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Apart from the contract review meetings on a monthly basis when each of the contract managers presented on the current status of their contracts, at the audits and at the site visits, all of the other information we got was from reports prepared by MTRCL.

**易志明議員：**

OK。這牽涉到第92段，當中你們提到"progress reporting was generally based on information provided by MTRCL who reported against approved project ..."，即所有的事情也是取決於MTRCL提供甚麼給你們，你們在這裏是說"generally based"的，OK？即是通常你們依靠他們提供的資料，當然你們也有做 site visits 等工作，也有看

資料。雖然你們在獲取資料後沒獲邀參與第90段提述的PSC meeting，但你們會負責為Director of Highways擬備briefing notes。其實，他收到的信息跟你們收到的信息差不多，不過可能你們多做了一點分析。

請問在過往的這段日子，你們向Director of Highways提供briefing notes時，他曾否給予意見或者不同意你們的分析，要求你們修改briefing notes呢？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Our briefing notes were based on our reporting, based on the information that we received, and to my knowledge, the Director of Highways did not disagree or object to our briefing notes.

**Hon Frankie YICK Chi-ming:**

Not even a single query?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

The team and I were not directly responsible for this briefing note process. The team that was supporting the Director of Highways may have had a discussion with our site monitoring team leader to ask for clarification or for any specific issues but not any major query, as far as I am aware.

**易志明議員：**

OK。我是否可以，這只是我的個人觀感，Director of Highways是否變成一個postman，當收到你的notes就向局長交代這樣那樣的事情。他的角色就是如此嗎？你可以不回答這個問題，這純屬個人觀感而已。

**主席：**

是。

**易志明議員：**

OK。接着我想問一問第45段下的第ii點，當中提到你們一直監察工程有否延誤。你們怎樣監察呢？就是"against the overall XRL project programme"，這也是我們經常問的，究竟有否一個所謂綜合的"integrated master plan such that people can see the critical path"。但大家一直看到的情況是，MTRCL不肯提供資料，連Highways Department也說他們沒有，是吧？你們又憑甚麼在此看到slippage呢？你們開始時說過，在最早期開會時出現過，thereafter就沒有收過任何update，所以你們憑甚麼來說？你們後面的報告有多處指"在甚麼時候出了一個報告說它遲了3個月，而這樣就遲了6個月，該要做些工夫了"。你們憑甚麼作此判斷呢？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We made those reports based on information provided by MTRCL, validated by our visits to sites where you could see the progress in broad terms, validated by information we were able to gather from the audits that we did on the contracts, and based on a judgement in terms of, certainly, in terms of forecasting the impact of the delays on the completion date. The MTRCL project report reported for every contract accurately the delays and reported on the project the progress that had been achieved, and we used that to prepare reports for our client.

**Hon Frankie YICK Chi-ming:**

OK. That is your own expectation or estimation?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

That is my understanding, yes.

**易志明議員：**

OK。好，我留意到你們在第70段的用語是"[what] Jacobs considers is an extremely tight overall project programme"。即是from你們的專業意見，就2015年8月這個時間，當你們開始接此項目時都覺得完成的機會偏低，是嗎？是否有這種感覺？既然你們都

說這個project的時間緊絀，當時你們是否擔心？不如我這樣問吧，有否擔心根本無法完成？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Yes, we reported, when we reviewed the preliminary project programme, that the project was quite tight and the caveats to that report. That was our view and that was the review of other professionals that were working on the job, including MTRCL and external professionals. And, because of the tightness of the project, as soon as we started reporting and saw the slippage, we reported immediately that the slippage could have an impact on the completion date because it was a very tight programme.

**易志明議員：**

OK。意思即是你們也有憂慮，所以你們早在剛開始工作時便提出這個問題。OK，另外一點，亦是最後的問題。在Progress Reporting下的第92段臚列了很多資料，看完後我發覺你們都盡了力搜集資料，一直提醒Highways Department有問題存在，工程一直出現延誤，而且情況越來越嚴重。但是，Highways Department好像沒有做過甚麼，剛才我的同事亦提問過，你們好像並不察覺他們有迫使MTRCL提供進一步資料，諸如此類。

請問作為一間負責任的公司，在過程中你們會否覺得很失望？你們不斷提出專業的意見，但你們的client好像無能為力，有否想過"不蹉這渾水了，還是不做比較好"？有否這樣想過？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

We reported and we reported consistently and our client was fully aware of what we reported. I cannot comment on what our client did with our reports because we were not at the meetings, the high-level meetings where this was discussed. Were we disappointed? It is always disappointing if you are involved in something which is a problem; but

construction, I am afraid, is like that sometimes. And, so, at my age, I have seen a lot of disappointments ...

**易志明議員：**

OK。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

... in terms of projects that could go wrong.

**易志明議員：**

明白，其實你已回答我的問題，即你們公司或負責的同事在整個過程中都感覺到失望，有一種無能為力的感覺。

**Chairman:**

So were you implying, Mr KING, that your younger colleagues were more disappointed than you, usually ...

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

No. Maybe I should rephrase what I said. We were not disappointed as a company and we endeavoured to work to the best of our ability to make sure we were reporting correctly, make sure we gave our client all of the information he needed to discuss with MTRCL the delays that were occurring. Our team has always been very enthusiastic about this project. As I have said, I am talking personally here, it is always disappointing to be involved in a project which does not go completely correctly.

**主席：**

Yes. Thank you.

副主席。

**謝偉銓議員：**

多謝主席。根據兩位在陳述書第13段所述，貴公司受聘於路政署，出任該署的監察及核證顧問，協助路政署就高鐵香港段項目進行監察及核證的工作。剛才很多委員都表達了對於你們的角色、進行了甚麼工作的看法。就此角色而言，關於最早期所謂的項目總工程進度計劃，即 master programme，剛才

Mr KING表示，開始時都認為其實該工程進度計劃很緊張，但我相信你們當時都同意，並非不可能於2015年8月完工。這個評估就像之前，包括港鐵公司行政總裁梁國權先生亦提過，大型工程有許多難以預測的因素。其實有些因素是已知道的，只不過不清楚具體程度，包括地質、地下管線、需要改道，工程進行時的交通改道，甚至人手問題等。其實我相信，或者你們都認為，你們顧問看最初的工程進度計劃時都知道一些問題。最早期你們覺得該計劃應該有可能按目標完成。你們是在甚麼時間第一次發覺其實已經落後了？

這是第一個問題。

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Yes, we reported, during 2009 and early 2010, as part of our M&V work on the design stage, that the construction period was tight but achievable, and ... I cannot remember the words but ... then gave some caveats about what would need to happen for it to be achieved. Some months later, it became clear that 810A, WKT contract 810A, the major contract in the terminal, was not awarded on time and was going to be awarded late. It was eventually awarded three months late and we reported, as soon as that happened, we reported that the impact of not awarding contract 810A in accordance with its original schedule, without changing the completion date, was a risk to the completion date of the project.

**謝偉銓議員：**

主席，我想知道剛才Mr KING所說的是多少個月？現在記得嗎？其實是否可能一開始是幾個月，你剛才所說的幾個月，會否是3、4個月的時間，便已經發覺有滯後？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I cannot be specific but, as soon as we understood, and this may have been a very short, this may have been some time in 2010 that the WKT

contract 810A was going to be awarded late. Then we warned that that delay, without shifting the end date, was going to ... could be an issue on the completion date of the project.

**主席：**

吳先生，能否協助回答副主席這個問題？

**Mr William NG, Project Manager, Jacobs China Limited:**

Because our appointment was a few months after the XRL construction project started, as soon as we were on board on the Construction Phase M&V works, we already noted some delays in some of the construction contracts. That is the earliest date that we noted some delays, but we also understood that, well, MTRCL, at that moment, was trying to, well, consider some delay recovery measures and discussing with the contractor to try to catch up these delays so that we would keep our monitoring service and so forth.

**主席：**

是。

**謝偉銓議員：**

主席，即是說，其實一開始，合約一開始，嘉科公司已經發覺高鐵的進度有延誤。兩位的陳述書第92段指出，貴公司早於2011年5月已經告知路政署，竣工的日期可能會受到影響。剛才吳先生也說過，其實一開始就發覺有滯後。路政署知道你們的意見之後，對你們的意見是否有回應？還是你們提交了便算，對於他們是否有回應，你們全不理會？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Yes, you are referring to paragraph 92 and the extract from our monthly progress reports for May, June and July 2011 which we reported to our client. Our client did not report directly back to us or respond directly back to us in writing. At the meeting we held, we would normally discuss it but I cannot recall what the discussions were about that particular issue.

**謝偉銓議員：**

主席，其實作為一個顧問，負責協助路政署監察該項工程，當然要提出意見。我覺得一個負責的顧問，對於僱主，即路政署，有否回應其意見或有否作出跟進，我相信作為顧問都會關注。

我也看到第92段提及，2012年3月貴公司開始強烈建議港鐵公司，就高鐵香港段項目的整體工程計劃及延誤的現況進行完整的評核。你們知否路政署何時正式就貴公司有關建議作出回應及跟進？路政署有否要求港鐵公司於設定的時限內提交項目的完整評核呢？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

As well as the progress report which we are quoting from here, which was discussed with the Highways Department, we also had an issue list which contained all of our comments from the various activities that we were doing, and that was passed to MTRCL through the Highways Department. We sent that to the Highways Department, and they sent to MTRCL.

**謝偉銓議員：**

主席，我希望就嘉科工程顧問有限公司提出的意見多了解一些。按剛才所說，路政署將你們的意見提交給港鐵公司，但對於港鐵公司有否作出跟進，其實你們並不知道，是嗎？

**Chairman:**

Mr KING, please.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Generally, MTRCL would reply to our comments if there was a substantive issue in them or, if there was not a substantive issue, they would acknowledge and say that they would take them into account.

**謝偉銓議員：**

主席，我想問，既然你們有強烈的要求，你們會否認為這是比較重大的，正如剛才所說般。就這方面，港鐵公司有否作出回應？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I cannot recall. I do not have that list in front of me.

**謝偉銓議員：**

主席，可否事後補充？

**主席：**

好。

**謝偉銓議員：**

因為好多事情都說不記得，但其實這是重大的，因為你強烈要求，你希望協助路政署進行監核，以確保有關的高鐵工程可以如期完成。我覺得這個是很重要的，主席。

**主席：**

是。可否事後補充資料，Mr KING？在這方面補充資料，好嗎？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Certainly, Chairman.

**謝偉銓議員：**

另外，主席，我想跟進第92段，因為第92段提到，其實於2014年3月，貴公司為路政署署長出席的項目監管委員會會議預備的文件中，表示高鐵的整體進度約為53.22%，但按原定計劃應該是83.42%，這大概相當於滯後11個月。

請問兩位，會否認為路政署在當時2014年3月應該作出獨立判斷，或者要求顧問公司就你們對該項工程進度滯後的判斷提交意見，評估高鐵項目預期在2015年完工的目標是否能達到？大家都知道，我感覺或者看文件亦都認為，至2014年3月，路政署就整個高鐵項目的進度，或能否於2015年完工，似乎都有信心。請問兩位，對於路政署當時就高鐵的進度延誤能否追回方面仍如此有信心，你們認為他們是否過份樂觀？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

In March 2014, from my understanding and now having reviewed other documents, the Highways Department and MTRCL were fully aware of this type of delay. In fact, the mere introduction of the Minimum Operating Requirements back in the middle of 2013 indicated that MTRCL was then thinking the project could not be completed until 2016. So it was clear, and in documentation I have seen since, that MTRCL was very aware of the delay and the Highways Department was very aware and, I understand, was pressing MTRCL very hard for a new programme to complete at this time.

**謝偉銓議員：**

主席，其實我的問題是，大家都知道有延誤，但仍覺得他們有能力追回延誤，令高鐵可以按計劃如期完工。在此方面，我第一個問題就是，路政署對於這個構想是否過份樂觀？或者路政署是否過份信賴港鐵公司可以追回進度？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I cannot speak for the Highways Department but as I have said, it was clear to MTRCL that the project could not be completed within 2015. In various pieces of information I have seen, since MTRCL was looking at a revised completion date at that time, and the Highways Department was very aware of it, and in the discussions that were taking place, the discussions were already talking about completion in 2016.

**謝偉銓議員：**

主席，我想澄清 .....

**主席：**

吳先生，有否補充？

**Mr William NG, Project Manager, Jacobs China Limited:**

No. No, Chairman.

**謝偉銓議員：**

主席，我想澄清，剛才 Mr KING 提及，於 2014 年 3 月其實港鐵公司及路政署都發覺有滯後，而他們亦認為無法達到 2015 年 8 月完工的目標。剛才 Mr KING 表示，他們正在做一個新的計劃。據你所知，是否如此？

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Mr Chairman, the information I am giving you is retrospective and from looking at some other documents that have been made available to us as part of this inquiry.

**主席：**

Sorry, Mr KING, 你的意思是否指，對於港鐵公司提出一個 "limited opening" 的建議，當時你們公司並不知情，是嗎？你們是事後才知？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

No, we were aware of the proposal for the Minimum Operating Requirements in August 2013 when we attended a presentation with the Highways Department given by MTRCL on the concept of Minimum Operating Requirements which, I believe, MTRCL themselves had developed.

**主席：**

是。這是何時的事情？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

That was August 2013.

**主席：**

OK，副主席。

OK，下一位是莫乃光議員。

**Hon Charles Peter MOK:**

謝謝主席。Mr KING and Mr NG, you have consistently ... you said, earlier in your statement, or actually, in your testimony, that you believe that you have consistently reported the risk of delay. So a question that I have, the first question, would be: do you believe that you have been listened to with all the information? Well, for example, in the written statement that you have provided to us, in the table, it has a long list of key points from your reports, including some of them that I would consider to be opinions, for example, you know, you are saying that, you know, if this trend continues, you believed that certain completion dates would be delayed by so much time. But some of those are actually quite concrete recommendations. For example, in July 2012, you recommended that MTRCL should undertake a complete appraisal of the overall project programme, and so on and so on. So, do you believe that given that you have provided a lot of opinions about the delays and also quite a number of specific recommendations, do you have an assessment of how many of these recommendations have been followed?

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I personally do not have an assessment of how the things we reported were taken forward at the higher level with MTRCL.

**主席：**

你們公司有否作出這樣的評估？剛才你說你個人沒有做，那麼你們公司有否這樣做？

**Hon Charles Peter MOK:**

Yes, as a company, have you made any of this sort of assessment about the recommendations and whether or not they are being followed by MTRCL or even the Government?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Sorry, can you repeat that? I slightly ...

**Hon Charles Peter MOK:**

Well, I believe you ...

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

... missed the first ...

**Hon Charles Peter MOK:**

Yes, I believe you, sorry, we might have crossed between what I am saying and the interpretation. What I meant and what the Chairman helped me clarify was: you did say earlier that, personally, you did not believe that, you did not have such an assessment about whether or not these recommendations are being followed. But, as the company, as the Project Manager, overall, in addition to you yourself as a person, have you, as a group or as Jacobs, made any such assessment of whether these recommendations are being followed?

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

As a company and in this assignment, retrospectively, we know what happened; but at the time, we had no knowledge of the way the information we provided was taken forward to MTRCL.

**主席：**

當時貴公司並不知道有否作出跟進？即對於港鐵公司有否作出跟進，當時貴公司並不知道？對於你們的建議有否予以跟進，當時貴公司並不知道，是嗎？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Well, as a comment on that, MTRCL was continuously taking action in terms of reassessing programmes and trying to recover delays to the critical contracts. We knew that was happening all the time because MTRCL reported it. Unfortunately, as can be seen from their project reports, the delays did not get better, or the delays got worse and were not necessarily recovered.

***Hon Charles Peter MOK:***

OK, Chairman. So, actually, that means that, at the time, as the project was continuing, you did not have the up-to-the-minute or up-to-date information about whether your recommendations were followed right away, right? That was what you were saying?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We reported to the Highways Department ...

***Hon Charles Peter MOK:***

Right.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

... and we reported retrospectively on information that we received in monthly reports or information we gleaned from site.

***Hon Charles Peter MOK:***

No, ...

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We had no knowledge of any action taken by the Highways Department, responded to by MTRCL, that showed that MTRCL was changing ...

***Hon Charles Peter MOK:***

OK, but did you not just earlier say that, retrospectively, if you look back now to some of these things that happened a few years ago, you might have an idea about whether these recommendations had been followed at the time. You could have an assessment today about some of these earlier actions, or your earlier recommendations, whether or not they were followed.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes, and our specific words were not necessarily used but in general, we have seen evidence that the Highways Department raised these issues, and certainly the issue of the programme, with MTRCL.

***Hon Charles Peter MOK:***

You would not have a list of these recommendations at an earlier date and, after quite a few years' time, in your knowledge, in your judgement, whether or not these recommendations had been followed or not? Would you be able to have ...

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We do not have such a list.

***Hon Charles Peter MOK:***

OK. Now, earlier, I think some of the other members also questioned your work and your role as being a little bit passive because you were making recommendations and it is really up to the Highways Department whether or not they take it up and what they do with MTRCL. Do you believe that, as a professional firm working on projects like this, this is the normal practice that your professional responsibility has been fulfilled by doing what you have done?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

In this particular role, where we had no executive responsibility for the delivery of the project, which was all with MTRCL, our role was to examine selected documents and report to our client on what we found and, as well as on programmes that covered a whole range of issues, from safety to quality to cost and lots of other things. And we reported on everything that we found during the course of the documents, the site visits and audits, and on other information that we were able to gather.

***Hon Charles Peter MOK:***

So you do not believe that there would be anything in your capacity that you could have done more to escalate or push harder to, hope to, possibly minimize some of the delays or make sure that your recommendations are being followed, heeded?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Well, we ...

***Hon Charles Peter MOK:***

Were heeded.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes, we were reporting on delays as they were occurring. MTRCL was running the project, overviewing and supervising it. Ours were reporting ... our role was to report on what was happening and give a view on the results of that, but we had no role in being able to change things and so we specifically were offline, if you can put it like that. That was our role.

***Hon Charles Peter MOK:***

OK. A different question now. Do you think that there was any information that was being withheld from you by MTRCL, or even the Government, in helping you make the right assessment at the time? Any such suspicions or observation of things or information that you could not get or hard to get at the time when you were doing all these assessments and audits?

***Chairman:***

Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We had access to all of the documents that were on the SharePoint document management system.

***Hon Charles Peter MOK:***

Right.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

And not all of the documents were on that system because it was an open system and some of them were clearly confidential and we requested documents and, in general terms, they were always provided. We have got instances where some programme information was not provided because it was deemed not to be ready or for some other reasons. In general terms, in

audits, we were given all of the information that was required; and, on-site, in general terms, we were given open access to whatever we wanted to see. I do not believe ...

***Hon Charles Peter MOK:***

OK. So, you do not believe that any information was withheld or hard to get. Any information that you asked for, you pretty much got them?

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes, anything that we could see. But as you see from earlier discussions, we did ask for a project master programme and we did not see that project master programme. It was not delivered to us. We saw it on the table at audits but it was not delivered to us.

***Hon Charles Peter MOK:***

OK. Chairman, should I wait for the ... should I continue or not? Because ...

**主席：**

最後一個問題，好嗎？

***Hon Charles Peter MOK:***

OK. OK, one final question. From your experience of dealing with projects of a similar nature, is this the most complex or intensive or, in terms of scale, the biggest type of project that you have handled? Have you handled other high-speed rail projects elsewhere in the world yourself, the two of you personally, or other members?

***Chairman:***

Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Talking personally, I have been involved in a high-speed rail project in the UK, including the terminal stations. Our site monitoring team, the two people who have been leading our site monitoring were both involved in the Taiwan high-speed rail for long periods during its construction. And this is a complex project largely because the terminal is underground and it is got an international border and Customs and Immigration and all, and so it is a very,

very large building and there are a lot of passengers to be processed. So, it is a complex project. But is it the most complex project in the world? That is difficult to say.

**主席：**

第二輪，范國威議員，提問連回答5分鐘。

**范國威議員：**

多謝主席，謝謝。其實我剩下兩條問題。第一題剛才主席提問過，其他同事亦曾經提過，就是我多次查詢你們在2010年1月12日的文件，你們表示根據記憶所及，因為現在沒有附件，不能即時回答我們。所以請顧問公司事後提供資料給專責委員會，好嗎？關於3個關鍵的觀察，critical observations，好嗎？可否在此承諾？

**Mr William NG, Project Manager, Jacobs China Limited:**

Have we the report? We will check with our client, the Highways Department, to see whether we could release this report to the Select Committee.

**范國威議員：**

我不是要整份report，我只需要、我想知道的，是該3個observations，好嗎？以及你會否認為該3個observations，即重要的觀察，與工程延誤有關，是構成工程延誤的因素。好嗎？

**Mr William NG, Project Manager, Jacobs China Limited:**

Yes. Yes, certainly.

**范國威議員：**

好，好。主席，我最後一個問題就是想問顧問公司 .....

**主席：**

Sorry，我想說，如果它不允許的話，你也要書面通知我們，好嗎？

**范國威議員：**

謝謝主席。最後一個問題就是，港鐵公司行政總裁梁國權先生早前於陳述書中曾經提及，委託協議內的完工時間是可以修訂的，所以他表示，港鐵公司是沒有絕對義務去按時完成工程。我想請問，根據顧問公司一直以來的工作及對監察工程的理解，到底2015年8月的完工期是否確實如梁國權先生所說，並不是deadline，是可以修改的？如果可以修改的話，顧問公司在過去如此長的時間，有否曾經向政府或港鐵公司提出建議，用多些時間做前期工作，以減低港鐵公司所遇到的種種困難，特別是其後於岩土鑽挖工程方面的困難？你們有還是沒有提出這類建議？

**主席：**

是。Mr KING。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Well, I am not a lawyer, so I cannot comment on the interpretation of the Entrustment Agreement. But, if the project is going to be delayed, then there surely must be a mechanism whereby the Entrustment Programme can be changed.

**主席：**

或許我這樣問你，Mr KING，2015年8月的目標期限，以你的理解，這是甚麼日期？

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

It is the completion date for the commissioning and handover of the project after construction, after testing, after trial running.

**主席：**

OK。下一位是胡志偉議員，你是否舉手發言？

**胡志偉議員：**

多謝主席，我有一個簡單的跟進問題。因為今天Mr KING的statement提及許多關於delay，即他是aware有delay的情況。請問

Jacobs在此過程中有否留意到cost overrun的情況？你們從何時開始將cost overrun的情況report給Highways Department，而Highways Department的反應如何？

**主席：**

Mr KING，就胡志偉議員關於cost overrun的問題，你只需要回答在去年4月之前由於延誤而引致的cost overrun。你可以就此回答。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I was not specifically responsible for the work we were doing on costs. Where we were, we were assisting the Highways Department to review the payment requests from MTRCL and the valuations on the contract, and not aware of the discussions that took place within that team. It is true that, within our team, the work we did on the costs was extremely confidential for obvious reasons, because it involved lots of commercial issues and that was kept very, very confidential within our team, specifically to our cost team, and to the other Deputy Project Director who led that part of the work. But it was inevitable that, with a programme delay, there was going to be a cost increase.

**胡志偉議員：**

主席，我想跟進，因為有很多delay recovery measures都會牽涉到cost implication，即成本會有變化。是否當Jacobs要處理這些事宜時，港鐵公司並不需要提供成本的資料給你們參考，而只是提供資料給Highways Department去了解cost的變化情況？

**主席：**

當然就着滯後的情況，Mr KING，他們提出了許多DRMs，而這些DRMs是需要成本的。請問你們有否參與成本變化的工作？謝謝。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

All of the DRMs that were submitted to the PCG included an element of what it would cost or an estimate of what they would cost, and that was what was submitted to the PCG meeting. The PCG meeting, Project Control Group, is a meeting designed to control the project and specifically the costs.

Those additional costs, within our Cost Monitoring Team, were assessed against the project contingency that was allowed, and the rundown of the contingency was one of the jobs that our Project Team dealing with the financial issues reported to our client. But our Financial Team was working in an integrated way with the RDO team. It was a joint team.

So, sorry, in summary, the PCG papers indicated the costs of the delay recovery measures and the costs of those delay recovery measures would eventually feed into the project cost and would be dealt with, at that stage, by the contingencies.

**胡志偉議員：**

可否說說，Highways Department何時掌握到cost overrun，即是超過contingency可應付的數目？Highways Department有否要求你們協助、assist他們去研究港鐵公司所提交的DRMs中財務承擔的情況？

**主席：**

去年4月之前引致的延誤所涉及的DRMs而引致的超支問題，是否已超出你們預設的contingency fund？你先回答此問題。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

I cannot specifically answer that question but, from recollection, the cost overrun from DRMs and other factors prior to April last year, there was sufficient contingency to hold them.

**主席：**

OK。我猜他 .....

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

And what ... sorry, what RDO or the Highways Department did about the actual potential cost overrun I do not have any knowledge of.

**主席：**

OK。副主席，你有跟進問題？

**謝偉銓議員：**

是，多謝主席。高鐵項目到目前為止，無論就何時完工及其造價，其實大家都不能夠肯定，也沒有人能夠肯定某些數字。當然，我想問嘉科工程顧問有限公司，就現在高鐵項目的模式，其監控、核實及責任的安排上，過去有否就此方面向路政署提供意見，或提供譬如程序上或溝通上需要改善的建議？如果沒有，請問兩位，以兩位的經驗，你們認為採用該模式是否一個好的做法？以你們的個人經驗，是否認為有某些地方應該可以做得好一點，或有所改善？

謝謝主席。

**Chairman:**

Mr KING.

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Well, I will answer that by saying, first of all, this was the first concession-type project, the first project with an Entrustment Agreement and the first project where the Government was funding the project and had to carry out an M&V role. Whether there are lessons to be learned, I am sure that there will be some discussions later on about any amendments that should be made in other projects. Aside from that, this role and concession projects, there are a number of models where the relationships are different, where the M&V consultant may have a different role, a different set of responsibilities; and, in that discussion, it may be wise for those to be investigated, to be looked at.

**主席：**

好。

**謝偉銓議員：**

主席。我想問一問，是否可以說，其實嘉科公司，當然，這可能並非他們的責任，對於制度、程序上，他們過去都沒有向路政署提供改善的建議？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

We were engaged to do a task which was specified, which fitted within the Highways Department's own role and fitted within the profile of the contract and we made changes to what we did: we changed the frequency of audit, we changed the depth of the audits that we did, and we changed various things to get more information and to focus on the critical issues, the risk issues, within the project.

**主席：**

是。

**謝偉銓議員：**

主席，不好意思，我只想澄清。按剛才所說，其實就程序或溝通方面，過去都有作出調整。路政署有跟進嘉科工程顧問有限公司這方面的建議，亦有接納建議，是嗎？

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

In terms of the things that we did, and it was largely based on the strategic risk assessment that we did jointly with the Highways Department. We agreed that there were some areas where we could reinforce the work that we were doing, but it was reinforcing our existing work in the existing role.

**主席：**

好，OK。胡志偉議員，最後一條。

**胡志偉議員：**

我只想問，嘉科公司有否懷疑過DRMs會引致超支？有否提醒過路政署，而路政署有否要求你們review DRMs的cost？

**Chairman:**

Mr KING.

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Yes, as I said, all of the DRMs were submitted through the PCG, Project Control Group, and were preceded by a PCG paper which set out,

from MTRCL managers to the PCG committee, what the purpose of the DRM was and what the cost was.

**主席：**

我知道，Mr KING，我猜胡志偉議員的問題並非如此，因為你現在所說的文件是由港鐵公司呈交有關DRMs的文件。胡志偉議員問你的問題是，路政署有否就該超支的情況，要求你們公司重新評估超支的問題？

這是否你的問題？

**胡志偉議員：**

是，對。以及嘉科公司曾否懷疑過這些數字？

**主席：**

因為你會做一個獨立的評估。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Do you want to ... you answer it.

**主席：**

吳先生。

**Mr Anthony J W KING, Project Director, Jacobs China Limited:**

Sorry. Yes, Mr NG.

**主席：**

吳先生。

**Mr William NG, Project Manager, Jacobs China Limited:**

Not before April 2014. The Highways Department did not ask us to carry out a detailed assessment of the overrun of the project.

**主席：**

OK。他已回答你的問題。

***Hon WU Chi-wai:***

Thank you.

***主席：***

OK。非常多謝Mr KING及吳先生。如果有需要的話，我希望不需要，專責委員會會再次邀請兩位出席研訊。現在你們可以退席，多謝你們的出席。

***Mr Anthony J W KING, Project Director, Jacobs China Limited:***

Thank you, Chairman.

***(研訊於下午12時36分結束)***