



# ARCHITECTURAL SERVICES DEPARTMENT 建築署

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22 June 2018

Mr Anthony CHU  
 Clerk to the Public Accounts Committee  
 Legislative Council  
 Legislative Council Complex  
 1 Legislative Council Road  
 Central, Hong Kong

Dear Mr CHU,

**Public Accounts Committee**  
**Consideration of Chapter 8 of the Director of Audit's Report No. 70**  
**Sha Tin Section of Route 8**

Thank you for your letter dated 12 June 2018 requesting response / information to facilitate the Public Accounts Committee's consideration of the above Chapter. Please find our reply below:

- (a) according to paragraph 4.11(c) of the Audit Report, a Government Monitoring Team, comprising officers from four departments, namely, TD, HyD, EMSD and ArchSD, is responsible for monitoring the TSCA operator's performance. In this connection, please advise:
- (i) the responsibilities and purview of each department. Is there any written document delineating such responsibilities or purview. If yes, please provide a copy of such document;
  - (ii) whether each department had, since the TSCA MOM contract was awarded to the current operator, held meetings with the current operator and/or other relevant departments, so as to monitor and review the performance of the operator. If yes, please provide dates and records of the meetings; if not, why not;

(iii) Is there a laid-down mechanism for each department to monitor the performance of the contractor on areas under the purview of each department. If yes, please provide a copy of such mechanism; if not, how will the department carry out its monitoring responsibilities;

(i) ArchSD is responsible for overseeing the maintenance of building structures in the TSCA. ArchSD notes that TD has in collaboration with GMT members consolidated a detailed list of “GMT Members Monitoring Responsibility for TSCA” specifying each GMT member’s responsibilities in monitoring the operator. TD has also issued the detailed list to the operator on 13 March 2018 to supplement the current TSCA MOM contract. ArchSD has accordingly monitored the performance of the operator and provided technical advice to TD in respect of the maintenance of building structures. Correspondence issued by TD and copied to ArchSD is attached in Appendix A.

(ii) &

(iii) Since the commencement of the TSCA MOM contract, the operator has provided ArchSD with the monthly building maintenance submissions for checking on building inspection records, proposed repairs and the corresponding progress. The operator’s performance in respect of building maintenance has been monitored through such checks and ArchSD would follow up with the operator to make good the deficiencies, if spotted, and report serious maintenance issues to TD for regulatory actions under the contract. Given that the performance of the operator has been monitored regularly, it is unnecessary for ArchSD to have meetings with the operator and/or other relevant departments. Ad hoc meetings would be arranged if situation warrants.

(b) with reference to paragraphs 4.16 to 4.18 and Table 17 of the Audit Report, please advise:

(i) the reasons for TD and ArchSD not monitoring the manning level of administrative and supporting staff and building maintenance staff respectively after the commencement of the TSCA MOM contract;

(ii) between September 2013 and January 2017, whether there was staff shortfall of TSCA operator not subject to LD. If yes, the details;

(i) The division of work among the GMT members was not specified in the TSCA MOM contract. The operator’s manning level of building maintenance staff therefore had not been checked earlier on but ArchSD has already checked the operator’s manning level of building maintenance and informed TD of the results for follow-up actions.

(ii) Between September 2013 and January 2017, the TSCA operator’s

shortfall in building maintenance staff not subject to LD was as below:

- Shortfall in Building Manager from 16 February 2015 to 8 March 2015
- Shortfall in Building Services Engineer from 25 February 2014 to 29 February 2016 and 1 November 2016 to 31 January 2017
- Shortfall in Building Services Inspector from 11 November 2014 to 1 February 2015 and 7 February 2016 to 31 January 2017

(c) with reference to paragraph 4.19 of the Audit Report, the measures taken/to be taken to ensure compliance of the TSCA operator with the manning level of administrative and supporting staff and the building maintenance staff;

ArchSD has conducted monthly check on the manning level of TSCA operator's building maintenance staff according to its submissions of staff attendance records and salary payrolls, etc. Random site checks on building maintenance staff's attendance had been and would be carried out in the inspection of TSCA.

(d) according to paragraph 4.23 of the Audit Report, out of the total manning level of 483 staff under the TSCA MOM contract, 80 staff are "leave relief" staff, and provided that the TSCA operator could deploy sufficient and competent manpower to each of the required duty shifts, the manning level requirement for "leave relief" staff is included in the contract for reference purpose only. In substance, the operator is required to deploy a total of 403 staff, of which 60 staff are not subject to LD for any shortfall. In this connection, what are the follow-up actions/sanctions that could be taken by the relevant departments if there is a shortfall in the staff that are not subject to LD for any shortfall;

ArchSD has informed TD of the TSCA operator's shortfall in building maintenance staff (not subject to LD) for TD to take follow-up actions according to contract provisions. ArchSD has also reflected the shortfall in building maintenance staff in the TSCA operator's quarterly performance report on the aspect of building maintenance.

(e) with reference to paragraph 4.22 of the Audit Report, have HyD and ArchSD evaluated the performance of the operator in the area of work under their respective purview and inform TD of the assessment results. If yes, please provide the frequency of the evaluations and assessments. If not, why not. Whether HyD and ArchSD would consider conducting such evaluations and assessments;

ArchSD has evaluated the performance of the TSCA operator on the aspect of building maintenance on a quarterly basis and advised TD (as contract administrator of TSCA MOM contract) for compiling the overall performance report on the TSCA operator. The assessment from 19 December 2017 to 18 March 2018 had been provided to TD.

(f) with reference to paragraphs 4.33 and 4.34 of the Audit Report, please advise/provide:

- (i) records of imposing and collecting LD from the operator;
  - (ii) whether TD, HyD, EMSD and ArchSD have cross-checked the accuracy of the information/records submitted by the operator in relation to the calculation of LD.
- (i) ArchSD has ascertained that there was shortfall in building maintenance staff that was subject to LD from 1 March to 14 September 2014 (about 6.5 months), and TD has collected LD of about \$0.12 million from the TSCA operator.
- (ii) ArchSD has checked the calculation of LD against the operator's staff attendance record and payrolls in order to ascertain the accuracy of the information and records for such calculation. Random site checks on the operator staff's attendance in relation to the calculation of LD would also be carried out.

Yours sincerely,



(HUI Chiu-kin )

for Director of Architectural Services

- c.c. Secretary for Transport and Housing (fax no. 2537 6519)  
Secretary for Development (fax no. 2147 3691)  
Director of Highways (fax no. 2714 5203)  
Director of Civil Engineering and Development (fax no. 2246 8708)  
Commissioner for Transport (fax no. 2802 2361)  
Director of Electrical and Mechanical Services (fax no. 2882 9042)  
Secretary for Financial Services and the Treasury (fax no. 2147 5239)  
Director of Audit (fax no. 2583 9063)

By Email and fax (3140 1315)

Our Ref. TD TS/151/205/22C  
Tel. No. 2829 5536  
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13 March 2018

Mr. Kelvin Sze  
Contract Director  
Serco Lam JV  
Suite 1101, Sino Plaza  
255-257 Gloucester Road  
Causeway Bay  
Hong Kong

Dear Sir,

**Agreement for Management, Operation and Maintenance (“MOM”)  
of Tsing Sha Control Area (“TSCA”)  
Addendum to Schedule I and III**

The Government may from time to time appoint a Government Monitoring Team (“GMT”) comprising officers from various Government departments to be responsible for monitoring and auditing the Operator’s performance in accordance to the major buildings, structures, facilities and equipment to be managed, operated and maintained by the operator and scheduled maintenance works requirements set out in Schedule I and III of Agreement for MOM of TSCA respectively.

To supplement Schedule I and III, we have consolidated a detailed list of “GMT Members Monitoring Responsibility for TSCA” at **Annex**. Please contact the responsible departments for issues related to these items on the list accordingly.

Thank you for your attention.

Yours faithfully,



(Ian TSANG Yee-yeung)  
for Commissioner for Transport

**Detailed List on Responsibilities of Government Monitoring Team Members in  
Monitoring the Performance of the Operator of Tsing Sha Control Area**

<b>Item No.</b>	<b>Buildings, Structures, Facilities and Equipment</b>	<b>Responsible Department</b>
1	Viaduct and Bridges (Structures)	HyD
2	Highways and Road Structures	HyD
3	Tunnel Structures	HyD
4	Footbridge in the Toll Plaza	HyD
5	Toll Booths	ArchSD
6	Administration Building (Nam Wan & Sha Tin)	ArchSD
7	Portal Buildings	ArchSD
8	Ventilation Buildings	ArchSD
9	Control Kiosks	ArchSD
10	Man-made Slopes	HyD / ArchSD*
11	Lighting (including high mast lighting)	EMSD
12	High mast lighting structures	HyD
13	Fire Service Installation and Equipment	EMSD
14	Sewage Treatment Plant (E&M Equipment)	EMSD
15	Landscaping	HyD
16	Software Maintenance for Traffic Control and Surveillance System (TCSS), Toll Collection System and E&M Systems with embedded software	EMSD
17	Wind And Structural Health Monitoring System (WASHMS) and Associated Operations	HyD
18	Waterworks Installations for buildings (after water meter of buildings)	ArchSD

\*according to SIMAR's record of maintenance agents

b.c.c.

External

Serco Group (HK) Ltd. (Managing Director: Mr. John Hesketh) ] – fax: 2571 7214  
Serco Group (HK) Ltd. (Operations Manager) ]  
Director of HyD (Attn.: SE/H, E/H2) ] – by email  
Director of EMSD (Attn.: SE/TSCS5, E/TSCS5/1, E/TSCS5/2) ]  
Arch SD (Attn.: SPSM/WTS&ST, PSM/ST-W) ]

Internal

CMC – by email  
CTM1 ] – by email  
TTM1 ]  
TTM4 ]