

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

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(Translation)

16 July 2019

Legislative Council Secretariat
Clerk to Transport Panel
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Ms. Sophie LAU)

Dear Ms. LAU,

**Legislative Council Panel on Transport
Meeting on 15 February 2019**

Supplementary Information

At the meeting of the Panel on Transport held on 15 February 2019, Members requested the Government to provide supplementary information about the captioned matter. Having consulted the Highways Department, our consolidated reply is as follows:

Supervision of the Contractors

2. The Government attaches great emphasis on the progress, quality and safety assurance of works projects and monitors their implementation following established mechanism. For major infrastructure projects, the Highways Department (HyD) will engage professional consultants to assist in monitoring and supervising the contractors' works in terms of progress, quality, safety and environmental protection. The consultants have to follow the Government's project administration procedures and the relevant guidelines to supervise the contractors and make sure that the contractors have complied

with the contract specifications and relevant regulations in the construction process. The consultants supervise the works of the contractors through a comprehensive quality monitoring plan which covers engineering design, materials supply, on-site tests, workmanship requirements as well as testing and acceptance inspection. Besides, the Resident Site Staff (RSS) employed by the consultants will closely monitor the works of the contractors during daily site inspections to ensure the quality and safety of the works. The consultants are also required to report regularly to HyD on issues related to works progress, quality, safety, environmental protection as well as performance of the contractors, etc.

3. At the same time, HyD also closely monitors the works of the consultants and arranges monthly meetings with the consultants to review the associated work, including progress, quality, safety and environmental protection of the projects. In addition, the representatives from HyD will participate in the various meetings between the consultants and the contractors, including works progress meetings, site safety and environmental management committee meetings, traffic management liaison group meetings, etc. The representatives from HyD will also carry out site visits to inspect the works progress and site conditions. The independent audit team of HyD will carry out technical and works quality audit for each works contract annually.

Request for Inspection and Survey Checking Forms (RISCFs) and the Follow-up Actions by HyD

4. When contractors have completed certain critical works (such as fabrication of mould, steel reinforcement fixing, concreting and road paving, etc.), they are required to submit RISCFs to request the RSS to inspect and survey the works concerned. The contractors can proceed to the next stage of works only after approval from the RSS has been obtained. If the contractors fail to submit the RISCFs, the RSS may refuse to conduct the relevant inspections and/or survey checks. Nevertheless, having considered the reason(s) for the delay in submitting the RISCFs, the RSS may, if the circumstances permit, exercise their discretion to deal with the late requests, i.e. to conduct the inspections and/or survey checks first and then follow up with the contractors on the outstanding submissions and make proper documentation. The information can be retrieved for checking if necessary.

5. The RSS confirmed with HyD that the Contractor had informed them to carry out inspections and survey checks for the works completed through phone calls, emails, instant messaging applications, verbal notices, etc. The RSS has carried out corresponding inspections and survey checks but had been waiting for subsequent submissions of the RISCFs by the Contractor.

6. The Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Link Road project was implemented and supervised by the engineering team of the Major Works Project Management Office (Special Duties) of HyD (formerly known as the HZMB Hong Kong Project Management Office). The entire engineering team comprises many officers of different ranks who work on different issues in accordance with the different scope of works of the project. In general, in consultants' letters to or copied to HyD, they are addressed or copied to specific HyD officers for easy follow up and distribution to different engineering teams. The engineering teams of HyD will follow up the issues mentioned in the correspondences.

7. HyD was copied with a letter issued by the RSS to the Contractor in July 2016, which was the first time for HyD to be copied with such letters, requesting the Contractor to timely submit the RISCFS in accordance with the contract requirements. The RSS copied the letter to the Chief Engineer responsible for the Hong Kong Link Road project. The engineering team of HyD acknowledged that the RSS had been following up the matter with the Contractor. In the two years after receiving the said letter, HyD did not receive any copy of similar letters from the RSS to the Contractor. The RSS also had not further reported the relevant matters to HyD during that period.

8. Since June 2018, the engineering team of the Major Works Project Management Office (Special Duties) of HyD has received copies of letters issued by the RSS to the Contractor stating that the Contractor had not timely submitted the RISCFS in accordance with the contract requirements. In late July 2018, HyD requested the RSS to submit the construction and supervision records. Noting that the matter had not been properly resolved after a long period of time, HyD reported the incident to the Transport and Housing Bureau (THB). In end July 2018, the RSS reported to HyD that the Contractor had not timely submitted, according to contract requirements, about 10 000 RISCFS.

9. For prudence sake, having discussed with THB, HyD separately employed PYPUN-KD & Associates Limited as its independent audit consultant in early August 2018 to carry out an independent audit of the site records provided by the RSS in order to confirm that the RSS has carried out their duties in supervising the works carried out by the Contractor. After careful examination of the review reports submitted by the independent audit consultant, HyD is of the view that the matter is about the Contractor not submitting the documents on time according to the contract requirements rather than forms being destroyed or lost. It does not involve quality issues.

10. In respect of this incident, even though the independent audit consultant confirmed that the Project Consultant had provided adequate and reliable

substantiations to demonstrate that the RSS had discharged their supervisory duties, HyD emphasizes that it is the obligation of the Contractor to timely submit RISCs in accordance with the contract requirements. HyD has reflected the unsatisfactory performance of the Consultant and the Contractor in this matter in their quarterly performance reports, and has urged them for improvement. The quarterly performance reports of the Consultant and the Contractor will affect the relevant scores to their tender submissions for other public works contracts. HyD had also requested the Contractor for compensation of the cost for engaging the independent audit consultant and the Contractor had agreed to bear the cost.

Improvement Measures

11. In view of this incident, HyD will strengthen the monitoring of the works by project consultants, including enhancing the monitoring system on the submission of RISCs; assigning dedicated RSS to supervise the submission of RISCs during construction with regular reporting to HyD; and stepping up the checking of submission status of RISCs in the regular technical audits of HyD. HyD will also improve the system of the request for inspection and survey checking.

RSS

12. Concerning the contract of the Hong Kong Link Road (Section between Scenic Hill and Hong Kong Boundary Crossing Facilities), there were about 200 RSS supervising the contract at the peak of works in 2016 and 2017. Among the RSS, there were about 30 professionals (i.e. engineers, geotechnical engineers, quantity surveyors, etc.) and about 130 technical staff (i.e. inspectors of works, works supervisors, etc.). The remaining are general clerical staff. Professional staff including engineers, geotechnical engineers and quantity surveyors must be corporate members of relevant professional institutions and possess the relevant working experience. As for the technical staff, they have to be graduated from technical institutes or equivalent and possess the relevant working experience.

Yours sincerely,



(Horace HONG)

for Secretary for Transport and Housing

c.c.

Director of Highways (Attn: Mr. Raymond KONG)

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