



CONSTRUCTION
INDUSTRY COUNCIL
建造業議會



REFERENCE MATERIALS ON THE SELECTION OF CONSULTANTS



Disclaimer

Whilst reasonable efforts have been made to ensure the accuracy of the information contained in this publication, the CIC nevertheless would encourage readers to seek appropriate independent advice from their professional advisers where possible and readers should not treat or rely on this publication as a substitute for such professional advice for taking any relevant actions.

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Table of Content

Purpose	6
Acronyms	7
Definitions	8
Executive Summary	10
Chapter 1 – Introduction and Background	12
1.1 Construct for Excellence – Report of the Construction Industry Review Committee (The Tang Report)	12
1.2 Terms of Reference.....	12
1.3 Review of Current Practices.....	13
Chapter 2 – Reference Materials for Procurement of Consultants	15
2.1 Who Should Use the Reference Materials?	15
2.2 How to Use the Reference Materials.....	15
2.3 Benefits of Adopting the Reference Materials	15
2.4 Importance of Selecting the Right Consultant	16
2.5 Overview of the Stages of Procurement.....	17
2.6 General Recommendations.....	17
Chapter 3 – Procurement Strategy	18
3.1 Objectives of a Procurement Strategy.....	18
3.2 Characteristics of a Strong Procurement Strategy	18
3.3 Developing a Procurement Strategy	20
Chapter 4 – Selection of Tenderers and Tendering	28
4.1 Procurement Methods	28

4.2	Preparatory Work	31
4.3	Tender Documentation.....	31
4.4	Tender Submission Requirements	35
4.5	Tender Queries	36
4.6	Potential Areas for Improvement.....	37
Chapter 5 – Tender Evaluation and Contract Award		38
5.1	General Principles	38
5.2	Tender Assessment Team	39
5.3	Tender Evaluation Methods	39
5.4	Contract Award and Other Actions.....	44
5.5	Potential Areas for Improvement.....	45
Chapter 6 – Performance Assessment		49
6.1	General.....	49
6.2	Performance Assessment Method	49
6.3	Feedback into Future Procurement.....	51
Appendix A		52
Appendix B		55
Appendix C		58
Feedback Form		59

Preface

The Construction Industry Council (CIC) is committed to seeking continuous improvement in all aspects of the construction industry in Hong Kong. To achieve this aim, the CIC forms Committees, Task Forces and other forums to review specific areas of work with the intention of producing Alerts, Reference Materials, Guidelines and Codes of Conduct to assist participants in the industry to strive for excellence. The CIC appreciates that some improvements and practices can be implemented immediately whilst others may take more time to adjust. It is for this reason that four separate categories of publication have been adopted, the purposes of which are as follows:

Alerts

Reminders in the form of brief leaflets produced quickly to draw the immediate attention of relevant stakeholders the need to follow some good practices or to implement some preventative measures in relation to the industry.

Reference Materials

Reference Materials for adopting standards or methodologies in such ways that are generally regarded by the industry as good practices. The CIC recommends the adoption of these Reference Materials by industry stakeholders where appropriate.

Guidelines

The CIC expects all industry participants to adopt the recommendations set out in such Guidelines and to adhere to such standards or procedures therein at all times. Industry participants are expected to be able to justify any course of action that deviates from those recommendations.

Codes of Conduct

Under the Construction Industry Council Ordinance (Cap 587), the CIC is tasked to formulate codes of conduct and enforce such codes. The Codes of Conduct issued by the CIC set out the principles that all relevant industry participants should follow. The CIC may take necessary actions to ensure compliance with the Codes.

If you have attempted to follow this publication, we do encourage you to share your feedback with us. Please take a moment to fill out the Feedback Form attached to this publication in order that we can further enhance it for the benefit of all concerned. With our joint efforts, we believe our construction industry will develop further and will continue to prosper for years to come.

Purpose

These Reference Materials are intended to assist Clients and other relevant stakeholders in the procurement of design and other consultants required for construction projects. To achieve this, this document describes the objectives, principles, processes and methodologies for the procurement of consultants with a view to achieving project objectives effectively and providing a fair, transparent and efficient platform for interested parties to participate in the consultant selection process.

Acronyms

AACSB	Architectural and Associated Consultants Selection Board
CIC	The Construction Industry Council, Hong Kong
CIRC	The Construction Industry Review Committee, Hong Kong
Com-PNS	The Committee on Procurement and Subcontracting of the CIC
EOI	Express of Interest
KPI	Key Performance Indicator
RFP	Request for Proposal
TAT	Tender Assessment Team

Definitions

In this document, unless the context otherwise specifies, the following definitions apply:

Term	Definition
Client	The party who employs the consultant and the contractor for the design and construction of the works required.
Consultant	The party employed by the Client to design the works required.
Contractor	The party employed by the Client to construct the works required. The Contractor may have design responsibility under a construction contract.
Established List	List of tenderers selected based on the Client's established database including past performance, experience, organisation structure, project natures and sizes and other relevant factors.
Lead Consultant	The single lead Consultant referred to in paragraph 3.3.10 of these Reference Materials.
Negotiation	A process by which the Client negotiates the scope of services and required fee with one or more tenderers based on the original submitted tenders or starting from a blank sheet.
Open Tender	A tender process whereby all interested consultants may submit a tender.
Select List	List of tenderers selected based on the Client's assessment of the capability of the potential tenderer in accordance with a set of pre-determined criteria.
Selective Tender	A tender process whereby only qualified consultants are invited by the Client to submit a tender. Common selection methods include Select List and Established List.

Term	Definition
Single Tender	A tender process whereby only one nominated tenderer may submit a tender.
Sub-Consultant	The party employed by the Consultant to carry out a part or parts of the design work required by the Client.
Tender Assessment Team (TAT)	The tender assessment team referred to in paragraph 5.2 of these Reference Materials.
The Tang Report	The Construct for Excellence Report published by the CIRC in 2001.
The Task Force	The Task Force on the Selection of Consultants and Contractors formed under the Com-PNS of the CIC.
Two Stage Tender	<p>A tender process consisting of two stages:</p> <p>In the first stage, potential tenderers are requested to submit an Expression of Interest (EOI) and provide certain information to demonstrate their technical, financial and other capabilities for performing the specified services. A short list of tenderers is determined following completion of the appropriate assessment and approval processes.</p> <p>In the second stage, short listed tenderers are invited to submit a full tender via a Request for Proposal (RFP).</p>

Executive Summary

The Construct for Excellence Report (generally known as the Tang Report) in 2001 by the Construction Industry Review Committee HK (CIRC) made a number of recommendations for improving the procurement of construction services. A Task Force was established by the CIC under the Committee on Procurement and Subcontracting (Com-PNS) to review current practices and to prepare this set of reference materials on the feasible approaches and criteria for the selection of consultants.

Comprised of Clients, Consultants, Contractors, learned bodies, and relevant stakeholders in the construction industry, the Task Force and Task Group members contributed their expertise to the preparation of these reference materials which describe the objectives, principles, processes and methodologies of the consultant procurement process. These reference materials represent the general consensus view of the Task Force, whilst reflecting the occasional differing views that were voiced.

These reference materials cover the topics of development of procurement strategy, selection of tenderers and tendering, tender evaluation and contract award, as well as performance assessment. It is recommended that stakeholders adopt those standards and methodologies which are regarded as good practice.

The procurement process commences with the early development of a consultant procurement strategy (Chapter 3), the characteristics of which, include clearly documented and established guidelines; fair, objective and transparent processes providing efficiency and a level playing field; with appropriate emphasis on technical excellence. Depending on the procurement strategy adopted, the alternatives that the client may consider are presented, such as the choice of a single lead consultant or separate individual specialist consultants; local or international consultants; single or two stage tenders, etc.

In Chapter 4, a series of matters in the selection of tenders and tendering is deliberated including: procurement method, preparatory works, tender documents, tender submission requirements, etc. Alternative types of procurement method, along with the respective advantages and disadvantages are discussed. The benefits of effective communication between Client and Consultant are highlighted including the advantage of early involvement of prospective consultants prior to tender. The requirements of the tender documents are described such that sufficient information is provided to demonstrate the tenderer's understanding of the services and their capability to perform them.

The importance of the tender evaluation process to choose the most advantageous tender that can meet the client's needs and requirements based on the principles of being open, transparent, objective, fair and confidential is discussed in Chapter 5. Issues such as approval authority, documentation, check and balance, potential

conflict of interest, assessment methodology, pre-determination of objective and measurable project specific assessment criteria, etc, are discussed. Some potential areas for improvement are also identified.

Chapter 6 provides some references on the common factors to be considered in assessing a consultant's performance. It is suggested that a detailed scoring system is a matter for implementation by the individual Client.

Chapter 1 – Introduction and Background

1.1 Construct for Excellence – Report of the Construction Industry Review Committee (The Tang Report)

The Construct for Excellence Report (generally known as the Tang Report) published in 2001 by the Construction Industry Review Committee Hong Kong (CIRC) made a number of recommendations on how current procurement practices can be improved to facilitate the delivery of construction projects on time and within budget, and that met specified quality standards. Achieving value in construction procurement is one of the areas called for in the report:

“Best value does not necessarily equate with the lowest initial tender price; it also encompasses various quality considerations as well as longer-term benefits. In obtaining construction services, the client should adopt a procurement arrangement that maximises the ability of all parties in the construction supply chain to add value to the project. To encourage consultants and contractors continuously improve their performance and to offer better value, clients should give balanced consideration to both price and quality in tender evaluation. The quality attributes may include technical capability, past performance, workmanship, site safety records and environmental performance, etc. As past performance will become one of the key quality criteria to be taken into account, an objective and transparent system for assessing the performance of consultants and contractors project implementation is necessary. We further propose that clients should offer debriefings to unsuccessful bidders and carry out post-completion reviews with consultants and contractors provide feedback on their performance.”

Chapter 5 of the Tang Report further emphasised that balanced price and quality attributes during tender evaluation, as well as an objective and transparent system for performance assessment during implementation, are indispensable to achieve value in construction procurement. Moreover, it detailed specific measures to improve the quality and performance of local construction, including good practices in selection of Consultants and Contractors, and encouraged their wide adoption locally.

1.2 Terms of Reference

Recognising that the selection of Consultants and Contractors is a complicated task with approaches and methodologies that often generate concern in the construction industry, the Committee on Procurement and Subcontracting (Com-PNS)¹ formed a Task Force to coordinate and draft a set of Reference Materials on the Selection of Consultants and Contractors. The Task Force was subsequently split into two groups due to differences in the nature of work

¹ The Task Force was originally formed under the Committee on Procurement. With effective from 1 February 2014, the Committee on Procurement was merged with Committee on Subcontracting and renamed as the Committee on Procurement and Subcontracting.

undertaken by Consultants and Contractors, resulting in a Task Group on the Selection of Consultants and a Task Group on the Selection of Contractors. The Task Force believes that it is necessary to consider the selection of Consultants and Contractors separately, and that different good practices apply to each procurement process.

Comprised of Clients, Consultants, Contractors, learned bodies, and relevant stakeholders in the construction industry, the Task Force and Task Group members contributed their expertise to the preparation of these Reference Materials.

In drafting these Reference Materials, the key Terms of Reference the Task Force set out to achieve were:

“To review current practices on the selection of consultants and contractors in the public and private sectors, to deliberate the feasible approaches and criteria, and to provide Reference Materials on the recommended approach for the construction industry.”

1.3 Review of Current Practices

1.3.1 Clients and Consultants

There are a wide range of Clients and Consultants involved in construction projects in Hong Kong. The biggest single Client is the Hong Kong Government. Other Clients include the full spectrum from large organisations providing key transport infrastructure, property developers, through to small lay owners.

The Task Force is mindful that Contractors are also major Clients of Consultants, particularly in Design and Build contracts. When Contractors wear a “Client” hat, the Task Force believes they will also benefit from adopting some of the practices set out in these Reference Materials.

Consultants come in a variety of sizes and disciplines in Hong Kong. Some choose to specialise in a single or a few related disciplines, whilst others provide services covering many disciplines. While the Client is the primary driver of a particular procurement exercise, the Task Force believes there are many good practices that Consultants can adopt for their own benefit, as well as the wider benefit of the project and the Hong Kong construction industry.

1.3.2 Room for Improvement

In accordance with its Terms of Reference, the Task Force conducted an extensive consultation exercise, inviting representatives from Clients, Consultants, Contractors, learned bodies, and relevant stakeholders in the construction industry to present their views on procurement of Consultants. Through this process it became clear that Clients generally agreed on a common set of overriding basic procurement principles within the diversity of approaches adopted in Hong Kong. Common themes emerged during the consultation that might be said to be “good” or even “best” practices.

There are also a number of issues in the procurement process that are considered by various stakeholders to be in need for improvement. Some improvements may be easily achievable, for example better communication at the early stages of procurement strategy. Others are certain to be more difficult as there may not be a consensus even within a single class of stakeholders. These issues are summarised and discussed in sections 4.6 and 5.5.

Chapter 2 – Reference Materials for Procurement of Consultants

2.1 Who Should Use the Reference Materials?

These Reference Materials are for all Clients and Consultants, although they are not a “one size fits all” solution as every Client, Consultant and project has its own unique characteristics. These Reference Materials do, however, provide practices which can generally be considered to reflect the “good” or “best” practices currently in use in the industry in Hong Kong.

2.2 How to Use the Reference Materials

What the industry considers “good” or “best” practices may not be applicable in every case, or may require tailoring to suit specific project circumstances. The following are major considerations and factors that influence how to use these Reference Materials:

- **Type of Project:** Whilst many recommendations are equally applicable to all consultant disciplines (civil, architecture, building services, etc.), some are more suitable for large infrastructure projects.
- **Size of Project:** Referring to both the value and complexity of the project, some recommendations may not be wholly applicable for small or simple projects.
- **Client’s Experience and Capacity:** While it may benefit a Client to follow good practices, if the Client lacks the resources or expertise it may be counter-productive to take on some of the more complex procurement practices recommended in these Reference Materials.

2.3 Benefits of Adopting the Reference Materials

By adopting the good practices provided under these Reference Materials, a number of benefits are available to both Clients and Consultants:

- **Better Project Outcomes:** Consistency and alignment with current industry good practice can promote enthusiastic involvement from quality service providers.
- **Improved Financial Returns:** Higher quality competition on a level playing field may lead to greater profitability for Consultants while providing Clients with improved value for money.
- **Reduced Costs:** Good practice can provide efficiencies in documentation and process, thus reducing costs.

- Collaboration: Good practice promotes collaborative working relationships, which support more efficient and successful projects.
- Peace of Mind: The Client can take comfort in knowing they are following a proven approach to procurement.
- Greater Transparency: Increasingly, stakeholders seek greater transparency in the procurement process, a cornerstone of good practice.

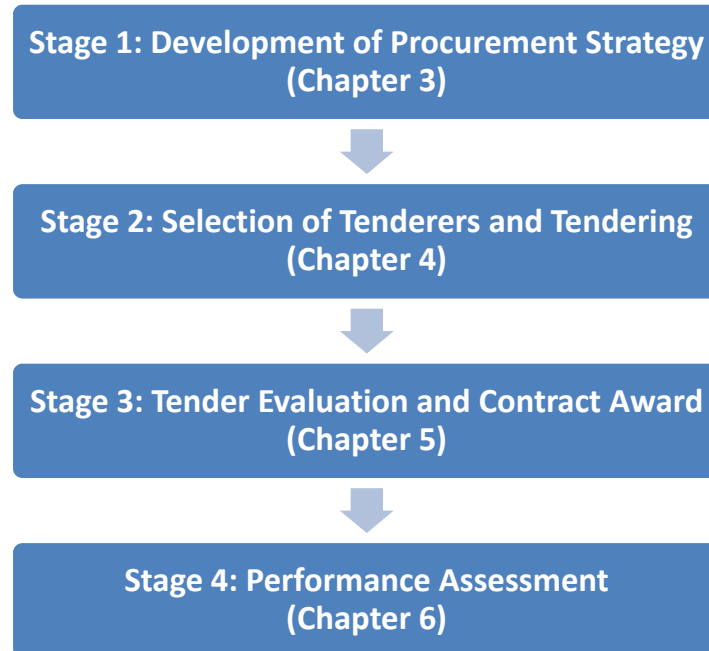
2.4 Importance of Selecting the Right Consultant

Although the cost of consultancy services is usually a relatively low percentage of the total project cost, the Consultant's impact on the project can be substantial. By selecting the right Consultant for an appropriate fee, the Client will be able to promote a more thoroughly considered design that fully addresses the project objectives and constraints and thereby innovate solutions, minimise errors, produce more timely drawings, better quality design that meets stakeholder requirements and support continuous improvement initiatives during construction. Together, these improvements can result in more robust and cost effective designs, fewer variations, reduce the risk of claims from the Contractor, smoother site operation, and offer potential savings on the overall construction budget.

In addition to the relevant experience of the Consultant, the design team assigned to the project also deserves special attention. In particular, the team's capacity to deliver the appropriate services with the right people leading is important to the overall project outcome.

2.5 Overview of the Stages of Procurement

The following flow chart shows the four main stages of the procurement process:



2.6 General Recommendations

In addition to specific recommendations in each of the following chapters, the Task Force would like to make two general recommendations to all Clients and Consultants:

- ***Ensure effective communication between Client and Consultant.*** Input and action are required from both the Client and Consultant throughout the project in a timely and open manner. Good communication is a fundamental element of collaborative working and, if properly done, creates a “virtuous circle” of better communication and collaborative working, benefitting both parties and the project. Where the size and complexity of a project justify, Clients may consider providing a joint project office where the Client’s representatives and Consultants work side by side and are able to communicate with each other efficiently throughout the design process.
- ***Involve the Consultant early in the Project.*** It has been well documented that the time when the project receives the most benefit from Consultants’ input is early in the project development. Once decisions are made, programmes set and contracts awarded, changes become more difficult and more expensive to implement.

Chapter 3 – Procurement Strategy

3.1 Objectives of a Procurement Strategy

Primarily, a Consultant procurement strategy should support and contribute to the achievement of a project's objectives in terms of delivering a facility that may typically include meeting specific user and functional requirements; completing the works to a timetable; achieving value for money; completion within a prescribed budget; and meeting long term goals such as sustainability. To achieve these, the procurement strategy for selecting Consultants should, in view of the significant and critical impact of the Consultant's work on the project outcome, adopt technical capability as a significant selection criterion. With this technical focus, the procurement strategy should facilitate the identification and selection of a suitably qualified Consultant team that is capable of generating design solutions that contribute in the development of a sound, functional, efficient, safe and cost effective design.

The procurement strategy should provide a contractual arrangement (in terms of the appropriate type and number of consultancies required for project implementation) that manages design interfaces and facilitates coordination and integration of the various design disciplines into a cohesive design.

To enhance quality, the procurement strategy should identify appropriate opportunities for the use of the most appropriate construction delivery, whether by Client-led construction or "design and build". This should strive to make the best use of both the Consultant's and Contractor's expertise or proprietary systems that would achieve construction efficiency, high performance standard or other technical advantages.

The procurement strategy should promote the widest participation by relevant interested parties and an open, fair, objective and transparent tender process.

3.2 Characteristics of a Strong Procurement Strategy

Procurement strategies are affected by a number of factors, including the nature, scale and complexity of the project, the scope of the consultancy and the Client's requirements. The majority of the organisations consulted by the Task Force have established principles or processes that are considered fundamental to the establishment of a strong procurement strategy.

The characteristics of robust procurement strategies generally include the following:

3.2.1 *Clearly documented and established well in advance of the actual project procurement process*

Early development of a procurement strategy for the entire project is considered essential in order to plan the extent, scope and timing of Consultant involvement. In the development of such a strategy, early involvement of the supply chain through consultation is recommended as the experience and feedback of the various parties within the construction industry can have a profound effect on the delivery of a project and may need to be factored in. Such considerations will be influenced by the objectives of the project, the scope of consultancy services required, the risk tolerance of the respective Clients/Consultants, the market, availability of appropriately experienced Consultants, and the contract fees. The scope of services should be properly defined, including consultancy deliverables and scope of incentives or consequences for breach or default, in order to obtain reasonable consultancy fees. This may be project-specific or a standard business procedure adopted for all procurement needs within an organisation. The strategy should document the Client's general objectives and philosophies for procurement. It should explain the overall aims, objectives and principles of the organisation's procurement philosophy and include a description of individual initiatives for implementation.

3.2.2 *Open, fair, objective and transparent process providing efficiency and a level playing field*

Procurement strategies vary depending on the type of organisation. Public bodies, for example, have clear procurement processes that have been refined over the years. The significant demand for work in this sector means the strategies have been tested and adjusted over time, allowing for incorporation of feedback and improvement. Unsurprisingly, public bodies place a high priority on efficiency and proper management. They focus on achieving the best value for money through an open, fair, objective and transparent process with appropriate protection of public interests. During consultation, the Task Force found a number of relatively common procurement principles regardless of the nature of the Client. Principal among these was the preference for an open, fair and transparent process to provide a level playing field to all tenderers. Emphasis is generally placed on achieving an efficient procurement process that focuses on value for money, cost control, programming, innovation and quality.

3.2.3 *Aligning with commercial objectives*

Commercial Clients have similar objectives to public bodies, however they may place more focus on areas that are appropriate to their particular business environment. For example, a commercial Client's procurement strategy may favour a direct relationship with a particular Consultant, or group of Consultants, over the long term. This type of strategy may embrace practices appropriate for a commercial enterprise, such as directly negotiated contracts. In certain limited circumstances, directly negotiated contracts may also be allowed in public sector Clients.

3.2.4 *Appropriate emphasis on technical excellence*

While the consultancy fee is relatively small in relation to the project cost, the capability of the Consultants is crucial in terms of achieving value for money, high quality and timely completion of a project. With the exception of simple projects, technical excellence should be given a high priority in the selection of Consultants.

3.2.5 *Promoting long term business relationships*

Long term relationships may be encouraged to benefit from the retention of knowledge from one project to the next.

3.3 *Developing a Procurement Strategy*

Whether part of a standard business procedure or an individual strategy tailored to a specific project, aspects that might be considered by a Client in the development of a comprehensive procurement strategy are described below.

3.3.1 *Conducting an open, fair, objective and transparent process*

- (i) Clients may consider whether to select Consultants from a Selective Tender or an Open Tender approach.
- (ii) Clients may consider whether to select Consultants from an Established List. The Hong Kong Government, for instance, maintains the Architectural and Associated Consultants Selection Board (AACSB) lists of architectural firms and consultants for building works. With consent provided by the Consultant, Clients can approach the Government to have access for the performance records of the Consultant.
- (iii) The scope of consultancy services should be consistent with the procurement or construction contract strategy, where such is determined by the Client; or alternatively allow for flexibility in the event that the procurement or construction contract strategy is subject to a recommendation from the Consultant.
- (iv) The use of standard contract forms can simplify tendering and allow a clear understanding of the roles and responsibilities of the Client and Consultant.
- (v) To improve transparency in the procurement system, the Client should clearly state the key issues and requirements in the tender specification. This should include: a clear definition of the scope of works, deliverables, the user's functional, operational, quality and maintenance requirements of the completed project; the project timeframe; the payment terms; and Client expectations as regards innovation and environmental standards.

- (vi) The Client's requirements should be clear enough to enable Consultants to present their proposed approaches and methodologies consistently, allowing comparisons to be carried out on equal terms. A breakdown of the tender selection marking scheme including any mandatory requirements should be clearly indicated in the tender document.

3.3.2 Encouraging wide participation in an equitable and healthy competitive environment

- (i) Clients may consider conducting a briefing session with Consultants in advance of the tendering process to provide information about forthcoming projects.
- (ii) Clients may openly share the procurement strategy for the entire project, as well as future work opportunities, with prospective tenderers. An outline of the expectations placed on Consultants and any Client support available to them throughout the project process should be provided.
- (iii) Clients may provide opportunities for Consultants who they have not previously employed to participate in smaller projects first in order to allow them to gain relevant project experience. This will help to develop a bigger group of qualified Consultants to serve on future projects. Such performance records may then be linked to subsequent project tenders. Previous experience should however not be "over-weighted" in the screening/assessment unnecessarily in order to encourage wide participation.

3.3.3 Establishing an efficient process with appropriate controls

- (i) To shorten the time required for tender preparation and evaluation, Clients may consider reducing the amount of information required from tenderers by avoiding lengthy and unnecessary proposal submissions.
- (ii) Clients may consider limiting the number of pages (including appendices) accepted in prequalification or tender submissions. However, this should be considered carefully as limiting the number of pages may unnecessarily compromise the content and integrity of the technical submission and subsequent assessment.
- (iii) Clients may consider obtaining non-project-specific information at the prequalification stage only and do not request it again during the tender stage (aside from changes/updates).
- (iv) Clients may consider remunerating tenderers for part of their tender costs for Design and Build contracts where tenderers are required to spend a significant amount of design effort and employ consultants as designers for tender preparation. Such remuneration could be subject to the technical submission meeting a minimum quality standard.

3.3.4 Promoting innovation

- (i) Clients should provide clear definitions of measurable deliverables with incentives for innovation, and set minimum acceptance criteria for the tender.

- (ii) Clients should encourage innovative solutions so that more Consultants can participate and compete. Reward contributions that display value added attributes, cost effectiveness, innovation and environmental sustainability.

3.3.5 *Determining the management philosophy of the Client organisation*

- (i) The management philosophy of the Client will have a profound effect on how the consultancy services are delivered. The Client should clearly communicate whether it intends to manage in a “hands-on” or “hands-off” style. Factors such as Client’s control of the design development and stakeholder consultation should be explained. The approval process and deliverable submission programme should be described clearly in the tender documents.
- (ii) It should be determined whether the Client will have access to in-house expertise to inform and control the design development, or if the Client will be reliant on the expertise of the appointed Consultant.

3.3.6 *Effective control of cost, programme and quality*

There are many risks in construction projects that need control and management from an early stage. Failure to effectively manage these risks can lead to projects being delivered late, unable to meet functional objectives or costing more than the Client’s budget.

To mitigate the risks of delay and going over-budget, the procurement strategy should balance the risks and objectives of the project. Project cost, programme and quality are interdependent and often in tension. In general, the priorities of construction projects often overlap, as indicated in the Figure 1. It is rare for time, cost and quality to be equal in importance or impact.



Figure 1

3.3.7 *Focus on achieving best value for money*

In view of the significant value added potential of a Consultant in the delivery of a project, selection of Consultants often prioritises technical capability. Depending on the complexity of the project, appropriate weightings should be assigned to the technical proposal and fee proposal respectively for a combined technical and price tender evaluation. For design consultancy services, weightings often allocated to the technical proposal range from 50% to 80% depending on the complexity of the project, taking into account the magnitude and nature of work, multiplicity of design disciplines involved, need for specialist input, interface with existing facilities and operations, anticipated level of contractor’s design, etc.

3.3.8 *Retaining the knowledge base from one project to the next*

Upon completion of a design project, a post-completion review by stakeholders involved will enable both the Client and the project team to learn and assess whether the project objectives have been fully achieved.

A structured post-completion review is useful for planning future projects. In this way, lessons learned are passed on to the consultancy brief and/or construction documentation with the aim of improving overall project performance and avoiding prior mistakes. The review findings should be maintained in a database for efficient retrieval and future use.

3.3.9 *Single or Multiple Projects and Commissions*

If the Client is embarking on a programme of multiple projects in series or tandem then he should decide whether the consultancies will be a series of single project commissions or encompass the programme in part or in whole.

Under such circumstances, the Client's performance risk may be mitigated by a series of single commissions. However, developing long term relationships across multiple projects will enhance the Consultant's knowledge base and should provide economies of scale in resource allocation and therefore fees.

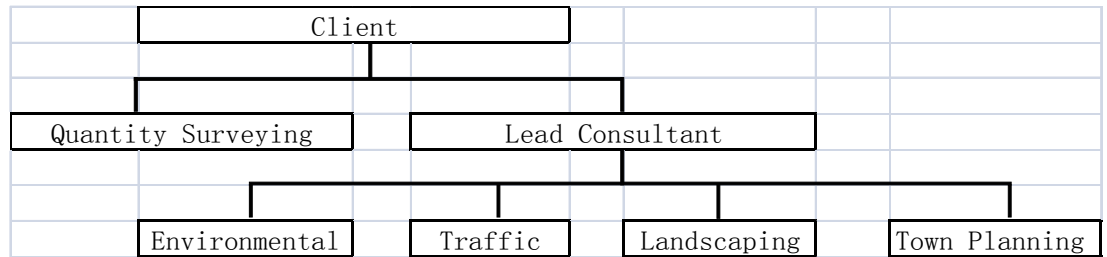
3.3.10 *Single Lead Consultant versus separate individual specialist Consultants*

Preference of Clients for appointing either a single lead Consultant (Lead Consultant) managing a team of multidisciplinary partners or Sub-Consultants, or appointing and managing directly separate individual specialist Consultants, is a fundamental aspect of the procurement strategy and will have a profound effect on the procurement approach adopted. Yet, there is no consensus among the industry on which engagement arrangement is better.

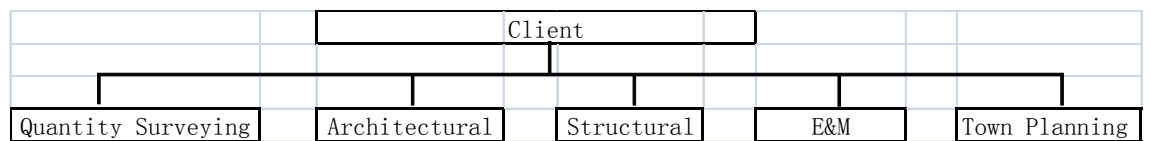
Some stakeholders advocate direct separate appointment of specialist Consultants of different disciplines with a view to enhancing direct and efficient communication between Clients and Consultants, and demarcate clearly on the division of duties and responsibilities of different professional disciplines. Alternatively, others advocate appropriate consultancy packaging should be proposed, with the adoption of a single Lead Consultant for complex and multidisciplinary projects, and individual specialist Consultants for simple or single-discipline consultancies.

Consultancy commissions for development projects requiring multidisciplinary services may be procured by appointing a single Lead Consultant leading a team of Sub-Consultants with specialist disciplines or by appointing each specialist Consultant separately.

Example of Lead Consultant:



Example of Separate Specialist Consultants



The above examples are not exhaustive and a number of permutations are possible.

The advantages of the Lead Consultant approach include:

- (a) The Client has a single point of contact and a single point of responsibility for the services. This is particularly useful for mega or complex projects where many specialists are required.
- (b) The Lead Consultant may select specialist Sub-Consultants with whom he has experience of collaborating successfully in order to bring cohesion to the team and minimise internal disputes. The Lead Consultant acts as focal point for the team, co-ordinating and dispatching the appropriate information to his Sub-Consultants and ensuring the Sub-Consultants' deliverables meet the project deadlines.

The disadvantages of the Lead Consultant approach include:

- (a) The Lead Consultant may choose a Sub-Consultant that is not the best among the tenderers. A partial remedy for this is for the Client to require the right to approve Sub-Consultants. However it may give rise to claims from the Lead Consultant if there is financial impact on employing other Sub-Consultants.
- (b) Sometimes the advice given by the specialist Sub-Consultants of particular disciplines may be at odds with the advice given by the Lead Consultant related to those disciplines. There is a possibility that the

Sub-Consultants' advice may become filtered. This may be seen as an advantage rather than a disadvantage, as one of the benefits of adopting this approach is for the Lead Consultant to manage the Sub-Consultants.

The separate specialist Consultants approach may provide the Client with more direct control over each design discipline, but only for a technically competent Client who has design management capability. The main disadvantage of this approach is that the Client must manage several commissions and absorb several sources of advice which, on occasion, may not be mutually consistent. It could create abortive works if changes made in one discipline were not passed on to the other discipline on time. Problems are common in work interfaces and the Client must understand how to manage them properly. In the event that a Client adopts a Lead Consultant approach, the Lead Consultant should be provided the opportunity to price for the management and coordination role and this could be included as an identified separate pricing element in the tender process. Also, the issue of liability for design error that the Lead Consultant is required to assume for the Sub-Consultants should be made clear.

There is a variant of the Lead Consultant approach where the Client may employ a Lead Consultant as well as separate specialist Consultants of its choice. Under this arrangement, the Lead Consultant will be required (and paid an additional fee) to integrate and coordinate the works of the separate specialist Consultants employed directly by the Client.

If the client chooses the Lead Consultant approach, the following should be adopted and incorporated in the tender and consultancy agreement:-

- (a) The main management task of a Lead Consultant is design coordination and integration which is reasonably within the capability of an experienced design consultant. It is accepted that in this case, the tenderer should be given the opportunity to price for such responsibility.
- (b) The proposed split of liabilities between the Lead Consultant and Sub-Consultants will compromise the Lead Consultant's overall design responsibility for the project and therefore goes against the prime objective of having a lead design consultant. This is a matter for the Lead Consultant and the Sub-Consultants to resolve within the terms and conditions of the sub-consultancy agreement through which the Lead Consultant procures its Sub-Consultants. As above, the tenderer should be given the opportunity to price for such responsibility.
- (c) The terms and conditions of the sub-consultancy agreement shall be designed by the Lead Consultant for the purpose of

procuring its Sub-Consultants. This is not a matter for the Client to decide, however, as above, the tenderer should be given the opportunity to price for such responsibility.

3.3.11 Local versus International Consultants

The Client may consider whether he wishes to place any restriction on where the services are conducted, particularly in respect of specialist design expertise which may not be available in Hong Kong. The Client should be clear if he may require the Consultant's team members to be present in Hong Kong at the specific times when providing services or may allow such services to be provided elsewhere.

3.3.12 Size of the Consultancy

The Client may wish to consider the capacity of the Consultants by placing requirements on their size and experience. Larger Consultants may be preferred for larger projects, but a bigger size is not always better. Such an approach may restrict competition.

To allow room for development of small and medium local Consultants, appropriate classification and banding of Consultants may be adopted to enable equitable sharing of consultancy works and streamline pre-qualification exercises. However, this will require careful administration, recognising that many Consultants are multidisciplinary and cover various sectors.

3.3.13 Number and Type of Tenderers

Consultants on a Select or Established List will have undergone some general pre-qualification, thus reducing the component parts of the Request for Proposal (RFP) and saving time and effort on both sides.

Large Clients may maintain several Select or Established Lists, banding Consultants according to their size or perceived capability.

Whilst Open Tenders may offer the benefit of widest participation, allowing tenderers to form their best teams, it may attract a significant number of tenders requiring considerable work across the industry, both for the tenderers in preparing their tender, and for the Client in administering and evaluating the tender.

3.3.14 Single and Two Stage Tenders

A Two Stage Tendering process usually consists of an EOI stage and a RFP stage, whereas a Single Stage Tender consists only of a RFP stage.

EOIs are typically brief and provide basic information from the interested Consultant, allowing the Client to proceed to a short list for the RFP.

RFP are usually more detailed and require considerably more time and effort to prepare.

The two-stage process takes longer but can be started earlier in the programme and has the advantage of selecting a short list of most suitable consultants for the RFP. This process therefore can save time and effort overall for all parties and focuses the tender process on tenderers that the Client considers to be qualified.

3.3.15 Use of Framework Agreements

Clients may consider developing framework agreements or long term contracts with Consultants, which include partnering, annual price adjustments and regular performance reviews to sustain the consultancy over several years. There has been a move towards “framework” type arrangements in other jurisdictions; however, framework agreements are only suitable for an on-going programme of works, the precise scope of which may not be determined at the time of award. For a project of a known scope, a specific consultancy contract would usually be more appropriate.

3.3.16 Key Performance Indicators and Performance Scores

In compiling the tender lists or assessing the tenders, the Client may wish to make reference to Key Performance Indicators (KPIs) or performance scores for each Consultant. These may be maintained by the Client’s organisation or others.

If the Client does make reference to any KPIs or performance score information available to assess potential Consultants, the mechanism should be explained to ensure it is appropriate for the consultancy in question. It should be stated in the tender document that performance score may be referred to.

Chapter 4 – Selection of Tenderers and Tendering

4.1 Procurement Methods

The procurement methods listed below are not mutually exclusive but some types may be used in combination as a hybrid, e.g. design competition with open tender or two-stage tender with selective tender based on established list, etc.

Type	Description	Advantages	Disadvantages
Open Tender	This is a universal invitation to tender. It normally consists of some or all of the following processes: (i) advertisement, (ii) eligibility screening of prospective Consultants, (iii) short listing, (iv) pre-tender conference, (v) receipt and (vi) opening of tenders, (vii) evaluation of tenders, (viii) tender clarifications and (ix) award of contract.	<ul style="list-style-type: none"> • It procures the widest possible range of tenderers • If competitive fee proposals are included, this method is likely to achieve the lowest possible fee • It offers transparent and comparable evaluation with minimal inconsistencies in scoring. 	<ul style="list-style-type: none"> • It wastes industry resources • It is time consuming • It may be unattractive to, and disregarded by, some competent tenderers • It enables tendering by some incompetent tenderers • The low fees received may be unrealistic and therefore pose a risk to the project
Selective Tender based on Open Pre-Qualification, i.e. Two Stage Tenders	The Client conducts an open prequalification process to select the tenderers based on a project specific and objective assessment of the tenderer's capabilities to perform the contract. Past performance may be considered as part of the technical assessment.	<ul style="list-style-type: none"> • It restricts tenders to only those who are competent and interested in a particular project. This is more focused than the Established List process • When highly specialised consulting services are required, this method gives more assurance to the Client in terms of quality, programme and cost • It allows a reasonable degree of competition among interested tenderers 	<ul style="list-style-type: none"> • This process requires more Client's resources and input • It may miss some competent tenderers • The criteria for a place on the list may not be transparent
Selective Tender based on Established	The Client, through his industry experience and/or through a process of	<ul style="list-style-type: none"> • The process is, or should be, transparent • It may include a 	<ul style="list-style-type: none"> • It may miss some competent tenderers • Its general application is limited to large Clients with

Type	Description	Advantages	Disadvantages
List	<p>performance assessment establishes and maintains a list (or lists) of tenderers suitable and/or experienced in the projects under consideration.</p> <p>The Client may also refer/adopt other established list maintained by the government or other authorities.</p>	<p>performance assessment system thus creating a feedback loop between performance and new work</p> <ul style="list-style-type: none"> • It restricts tenders to only those who are competent and interested. • It allows a reasonable degree of competition • The assessment process is more manageable • It allows better risk management, but the Client may need resources to establish and maintain the list 	<p>serial workload</p> <ul style="list-style-type: none"> • There is no opportunity for consultants to form a project specific design team.
Single Tender	<p>This method is not common but may be adopted when :</p> <ul style="list-style-type: none"> • A single Consultant is uniquely competent or otherwise best placed to carry out the work; or • The Client has a strong preference for a particular Consultant 	<ul style="list-style-type: none"> • It usually saves time • It eliminates perceived risk by the Client of getting the “wrong” Consultant • It avoids wastage of industry resources 	<ul style="list-style-type: none"> • The process may be subject to criticism of favouritism or worse • It poses potential public relations problem for large companies or Government, particularly so if the Consultant fails to perform • It does not comply with international good practice tendering standards • Competition in fee tender process is lacked • Proper governance is needed
Negotiation	<p>The Client negotiates the scope and fee with one or more tenderers based on the original submitted tenders or starting from a blank sheet</p>	<ul style="list-style-type: none"> • The Client can balance the scope and fee to suit his budget • The Consultant can engage with the Client to balance the scope and fee • When there is specific urgency or the need for highly specialised services, this approach tends to give the most 	<ul style="list-style-type: none"> • It dilutes the transparency of the tendering process and thus may contravene tendering rules for many organisations • It allows a higher degree of subjectivity into the tendering process which may open the way for collusion if not properly auditable • The consultancy cost is expected to be higher under this method

Type	Description	Advantages	Disadvantages
		assurance to Clients in terms of quality, time and cost	
Design Competition	Design competition based on conceptual design proposal	<ul style="list-style-type: none"> • This approach lends itself to high quality designs 	<ul style="list-style-type: none"> • There may be programming and cost risks once detailed engineering is conducted at a later stage. • Such competitions run the risk of draining industry resources.

4.2 Preparatory Work

4.2.1 Briefing sessions

Clients may consider conducting a briefing session for all tenderers on certain types of work to assist the quality of tenders submitted. Briefing sessions can assist by providing additional understanding, explanation or information for a forthcoming or current tender and allow, within reason, an exchange of information via a question and answer session. To ensure that a level playing field is maintained, the key issues or end products expected should be clearly explained to all the tenderers during the briefing sessions. The agenda for a briefing session should be limited to such general information as project objectives, background information, major user/functional requirements, tender programme, tender assessment criteria, etc. Briefing sessions should be for information only, not an official channel of issuing tender requirements. If the briefing is conducted before tendering, any clarifications, if required, can be included in the subsequent tender documentation. If the briefing is carried out during the tender, it should be made clear in these sessions that tenderers should prepare their tenders solely on the basis of the tender documents issued by the Client and any clarification of the tender documents should be by tender addenda or follow the tender query process in writing. No minutes should be issued in order to avoid the need for clarifying any differences between the tender documents and the minutes.

4.3 Tender Documentation

4.3.1 General

The following documents are generally required for a consultancy tender.

- (a) For a Single Stage Tender:
 - (i) Invitation to Tender
 - (ii) Consultancy Agreement (comprising the Articles of Agreement and General Conditions of Contract)
 - (iii) Design Brief/Scope of Services
 - (iv) Fee Proposal
 - (v) Instructions to Tenderers (which describe the tendering process, information to be submitted by the tenderer for tender assessment, tender assessment criteria and other pertinent details)
 - (vi) Tender Reference Information with the results of previous studies, reports and the like, including where appropriate soft copies, should be made available to all tenderers to:-
 - Ensure a level playing field for all tenderers
 - Assist tenderers on preparing and submitting a fully comprehensive tender submission
 - Allow the tenderer greater ability to submit innovative and value added ideas

Normally, the above documents (i) to (vi) are collectively called “Request for Proposal” or “RFP”.

- (b) For a Two Stage Tender:
 - (i) Expression of Interest (EOI)
 - (ii) Request for Proposal (RFP)

4.3.2 Expression of Interest (EOI)

- (a) If a two stage selection process is adopted, it will consist of a first stage of EOI and a second stage of RFP.
- (b) Invitations for EOIs may be open or restricted, but given their wide circulation in the industry they should be short and simple to maximise efficiency. Data gathered under the EOI should not be requested a second time in the RFP.
- (c) The EOI should include a draft project brief containing:
 - Location, nature and size of the project
 - Scope of the project and the extent and scope of services required
 - Key issues and requirements to be addressed
 - Payment schedule
 - Project timeline
 - Estimated cost of the project (if known) with any breakdown available
 - Proposed procurement arrangement (if known)
 - Details about the qualification and project experience required for prequalification to tender.
- (d) Interested parties should be requested to submit the following information for assessment:
 - Track record and relevant project experience
 - Current existing workload and projected workload over the duration of the project
 - For major projects, financial standing – this may include a supporting letter from a bank and audited accounts as appropriate
 - General details of office and staffing in HK (or project location), highlighting relevant experience
 - Proposed project team (optional requirement only at this stage).
 - Comments on the scope of services, if any.
- (e) Each member of any Joint Venture or consortium formed for tendering the consultancy should be required to provide the above information.

4.3.3 Request for Proposal (RFP)

RFP should be issued in soft and hard copy and acknowledgments of receipt requested to ensure that all short listed tenderers have received the documents. As stated in Section 4.3.1, it generally comprises the following documents:

(a) Invitation to Tender

This is normally in the form of a letter which may include the following information:

- A reference to the EOI received or the previous confirmation of the tenderer's prequalification to tender for the contract;
- A list of the tender documents issued;
- Details for collection of the tender documents;
- Contact details for the tenderers to raise queries;
- The place and time for submission of tender;
- Request for contact details for the tenderer's representative during the tender process; and
- Request for acknowledgment of receipt of the letter and tender documents.

(b) Consultancy Agreement

- (i) The Consultancy Agreement should be a standard document to provide continuity from one project to another. However, if tendering is based on or making reference to standard contract terms or forms, these should be reviewed in light of the market conditions from time to time to align with good practice.
- (ii) The key terms and conditions for a Consultancy Agreement should include:
 - Definitions
 - Consultant's obligations to exercise all reasonable skill and care, comply with all statutory requirements, perform the services diligently and with due expedition to meet completion obligations, indemnify the Client from losses, damages, liability, etc. caused by the Consultant in performing the services, etc.
 - provisions regarding engagement of Sub-Consultants
 - provisions for bond and guarantees, if required
 - provisions regarding intellectual property rights
 - interim payment methods and procedures taking into the Consultant's cash flow requirements
 - provisions for dealing with delays caused by the Client and compensation mechanism
 - provisions for the Client to issue variations (services beyond the contract scope) and associated valuation rules

- professional indemnity insurance requirements
 - provisions for determination
 - provisions for settlement of disputes providing a systematic and speedy method of resolving disputes
 - provisions for partnering where appropriate
 - any other provisions as necessary
- (iii) For term contracts or framework agreements, a mechanism for annual price reviews and performance reviews should also be included.
- (iv) To promote integrity of the Consultant's staff, agents and Sub-Consultants involved in the contract, ethical commitment clauses should be included in the Consultancy Agreement to prohibit the parties concerned from offering, soliciting or accepting any advantage when conducting business in connection with the contract. Sample ethical commitment clauses are included in **Appendix A**.

(c) Design Brief / Scope of Services

The Design Brief or Scope of Services document should include at least the following requirements and information setting out the Client's design requirements, the Consultant's obligations and other pertinent provisions if appropriate:

- Project objectives
- Project background
- Description of the works to be designed by the Consultant under the contract
- Project design requirements including descriptions about the division of responsibility between Consultants, identification of design interfaces and Consultant's design coordination obligations
- The design process to be followed and deliverables to be submitted by the Consultant
- Completion date(s) and programme for submission of deliverables
- Quality assurance requirements
- Safety assurance requirements
- Risk management requirements – based on a risk management strategy allocating risks to the party best positioned to control them.
- Site/building survey requirements to establish as-built data for design purposes
- Proposal for site supervision
- Meeting requirements
- Design team office provided by the Client (for large and complex projects)

(d) Fee Proposal

The Fee Proposal should consist of a "Form of Tender" and a "Pricing Document/Fee Make-up". The Form of Tender is normally a standard document representing the tenderer's offer to perform the services for a consideration (the fee). The Pricing Document should include a section of preamble clauses describing the type of consultancy contract to be used, item definitions and all relevant pricing issues, a breakdown of the total fee, interim payment schedules, provisions for price fluctuations (if any), option(s), etc.

(e) Instructions to Tenderers

This document does not form part of the contract but contains the following tendering requirements and information:

- Contents of the tender documents
- Procedures for raising tender queries for clarification
- Procedures for submission of tender
- Details of the tender submissions required (see Section 4.4)
- Tender assessment criteria
- Other general clauses governing the tendering process

To avoid cartel agreements between tenderers and prevent corrupt dealings in the tender exercise, the tender documents should include probity and anti-collusion clauses. Sample probity and anti-collusion clauses are included in **Appendix B**.

4.4 Tender Submission Requirements

Generally, the following tender submissions will be required for performing a complete assessment of the commercial, technical, financial and legal aspects of a consultancy tender:

4.4.1 Fee Proposal

This is the formal offer from the tenderer for performing the services and should include:

- (i) a covering letter that the tenderer may wish to submit
- (ii) the completed Form of Tender
- (iii) the completed Pricing Document including all preambles included as part of the document (see also Section 4.3.3(e)).

4.4.2 Technical Proposal

This proposal should include at least the following to demonstrate the tenderer's capability to perform the services if appropriate:

- (i) Company experience and resources
- (ii) Proposed project team and estimated staff resources for performing the services
- (iii) Response to brief including understanding of project objectives, identification of key issues, proposed approach and methodology, appreciation of project constraints, etc.,
- (iv) Innovative ideas that have the potential of reducing project costs, programme and/or risks
- (v) Quality assurance proposal
- (vi) Safety assurance proposal
- (vii) Preliminary programme for performing the services

4.4.3 Financial Information

This may include audited accounts and details about any additional sources of funds and credit facilities that are available to support the performance of the services.

4.4.4 Company Information

This may include documents that verify the legal identity of the tenderer and its ownership structure.

4.5 Tender Queries

For records, it is advisable that the Client require all questions or requests for information from tenderers to be submitted in writing. Responses, which may be in the form of tender clarifications or addendums, may then be issued to all tenderers, if appropriate. Sufficient time should be provided for tenderers to consider the changes and amendments before the tender closes. If a tender clarification meeting is arranged, minutes should be kept.

It may be necessary to extend the tender period if tender clarifications or addenda are issued late in the tender period. This will also ensure equal information is given to all tenderers with reasonable time to adjust tenders as needed.

4.6 Potential Areas for Improvement

4.6.1 *Classification and Banding of Consultants*

To allow room for development of small and medium local Consultants, it has been suggested that classification and banding of Consultants could enable equitable sharing of consultancy works and streamline pre-qualification exercises. However, classification and banding of Consultants may be difficult to administer as many engineering Consultants are multidisciplinary and cover various sectors. For multi-discipline consultancies, tenderers should be given the opportunity to form their own teams in order to provide the best services. In these cases, single discipline consultancies, based on classification and banding of Consultants, may not be appropriate.

4.6.2 *Simplified Requirements on Proposal Documents*

Proposal preparation and assessment should be simplified to avoid wastage of tremendous effort, cost and resources of the Consultants.

4.6.3 *Lack of Definition in Scope*

Failure to define the scope of services properly by the Client might result in an unrealistic fee set by the tenderers. Therefore, proper definition of consultancy deliverables and scope of incentives or consequences for breach or default are particularly important to obtain a reasonable consultancy fee.

Chapter 5 – Tender Evaluation and Contract Award

5.1 General Principles

The purpose of tender evaluation is to determine the most advantageous tender that can best meet the business needs and requirements based on the evaluation criteria specified in the tender documents. To achieve this, the evaluation process should follow the principles listed below:

5.1.1 *Open and Transparent Process*

The process should be open, clear and provide equal information to all tenderers.

5.1.2 *Formal, Objective and Fair*

The process should be formal and based on objective evidence as far as practicable. Fair treatment of tenders can be achieved by ensuring identical documents, information and correspondence are provided to all tenderers at the same time. All invited tenderers should be given equal opportunity to attend meetings and site visits throughout the tender process.

5.1.3 *Selection Based on Capability*

Selection of Consultants should take due consideration of technical capability that is a critical factor in achieving quality, value for money and cost effectiveness in delivering a project.

5.1.4 *Relevance to Business Needs and Requirements*

The evaluation criteria used for the tender should be relevant to the project and connected to the business needs and requirements.

5.1.5 *Confidentiality*

All tender submissions should be kept confidential and should not be disclosed to anyone who is not involved in the evaluation process.

5.1.6 *Audit Trail*

Throughout the process, a sufficient audit trail with documentation should be maintained to ensure the evaluation process is defensible and the evaluation team can demonstrate the reasoning behind the final decision.

5.2 Tender Assessment Team

It is good practice to form a multi-functional TAT to oversee and conduct the tender evaluation process. The size of the TAT can vary depending on the magnitude and complexity of the project. The TAT should be formed upon project initiation so members have a common understanding of the project and its requirements. It is beneficial if the team has relevant skills and functional expertise to conduct the assessment. All TAT members should declare conflict of interest before the assessment. The assessment criteria and methodology should be agreed by all TAT members before tender invitation.

The TAT should include a team leader, representatives from related areas and end users. An independent party, such as a financial specialist, may be beneficial to provide unbiased assessment. The role of the team leader is to maintain objectivity throughout the evaluation process and provide guidance to the other members when needed. Prior to the tender evaluation, the TAT may divide the tender between members for evaluation. Specialists may be required to assess certain sections depending on the complexity of the tender. All sections should be evaluated by those with the most appropriate knowledge and understanding.

The TAT should provide an unbiased and independently evaluation. Therefore, the TAT must be free of any conflict of interest, and if any conflicts do arise they should be declared to the TAT in a timely manner.

Members of the TAT should be indicated in the RFP if known.

Members of the TAT should be briefed on the assessment criteria.

For multidisciplinary projects, the professional background or experience of the TAT members should relate to the core disciplines being selected.

5.3 Tender Evaluation Methods

5.3.1 General Principles

The choice of the appropriate tender assessment method for a particular consultancy tender depends on the complexity of the services required under the consultancy contract. For design consultancies, the degree of complexity depends on the nature and size of the project, the number of design disciplines involved, the requirements for specialist input, the interfaces with existing facilities and operations, the need for strong design management and coordination, etc. In view of the importance of technical competence in a consultancy, it is important to consider both the technical and commercial aspects of the tender in the assessment of a consultancy tender. Accordingly, a combined technical and price evaluation method is considered the most

appropriate for a consultancy tender. Generally, technical weightings may range from 50% for relatively simple consultancies to 80% for the most complex ones.

5.3.2 Tender Evaluation Methods

Type	Description	Advantages	Disadvantages
Lowest Fee Proposal	It usually applies to Select List or Open Tender or projects with little professional or technical input	<ul style="list-style-type: none"> It procures the lowest market fee from the tenderers 	<ul style="list-style-type: none"> It does not take technical ability or experience or staffing into account It drives fees down and as a consequence Consultant quality across the industry
Combined Technical & Fee Evaluation (Two-Envelope System)	<p>Tenders are assessed on a weighted balance of technical ability and fee</p> <p>This is commonly carried out in two stages with two envelopes, one for the Technical Proposal and the other for the Commercial/Fee Proposal. The Technical Proposal (first envelope) is opened and evaluated with tenders ranked before the Commercial/Fee Proposal (second envelope) is opened. This ensures the TAT members are not influenced by prices while they are evaluating technical submissions. Tenderers should be advised to place the technical and commercial submissions in separate and clearly marked envelopes for easy identification within the single tender package</p>	<ul style="list-style-type: none"> It takes into account technical ability, experience and staffing as well as fees. For the two envelope system, the technical elements can be assessed separately from fees and greater objectivity is achieved 	<ul style="list-style-type: none"> It requires a high degree of objectivity and therefore a pre-set marking scheme is usually prepared and made available It requires considerable care to set up the marking scheme so that technical elements and fees are sensibly balanced to suit the project complexity level - otherwise one or the other will dictate the outcome It requires considerable care to set up a marking teams with appropriate experience to give marks on the proposals It is time consuming to prepare tenders and to carry out assessment.

Type	Description	Advantages	Disadvantages
Ditto (Three-Envelope System)	<p>The Three-Envelope System is the Integrated Procurement Approach adopted by Housing Authority to procure contractor together with their consultant team for the selected large scale projects.</p> <p>In addition to the first envelope (Technical Proposal), the second envelope serves to invite tenderers to propose any specific innovations (Envelope 2a) and list the corresponding benefits and costs (Envelope 2b). The third envelope is used for the Commercial Proposal.</p> <p>Envelopes 1 and 2a are opened in parallel, with each proposal classified against benefit levels (High, Medium and Low). After selecting for innovation, Envelope 2b of the selected proposals is opened. The proposals are then prioritised according to pre-determined criteria. After completing evaluation of Envelope 1, 2a and 2b, Envelope 3 (Commercial Proposal) is opened for evaluation.</p>	<ul style="list-style-type: none"> • Ditto but added emphasis on innovation 	<ul style="list-style-type: none"> • Ditto

5.3.3 Determination of Evaluation Criteria and Weighting

- (a) The tender evaluation criteria should be as objective and measurable as possible. They should also be project specific. It is recognised that the invited tenderers will have strengths and weaknesses in technical competency, quality, time and cost performance. To assess them fairly, a system of weighted criteria or marking scorecards can be used to encapsulate their competence, determine their relative positions and select the best tenderer.
- (b) Price weightings are generally lower for tenders that require a high level of technical input, innovation and methodology.

- (c) It is recommended that the weightings of technical and commercial aspects are pre-determined, together with the evaluation criteria, before the issuance of the tender documents.
- (d) The evaluation criteria are usually derived from business needs for the project and assessment of the risks associated with it. Therefore, only relevant information will be requested in the tender submission. This will form the basis for scoring in the tender evaluation.
- (e) A record of the tender process, including final approvals and weighting evaluation criteria, is recommended for audit trail purposes. **Appendix C** demonstrates how these weightings are applied for a consultancy service with design, site supervision and project management capabilities required.

5.3.4 Assessment of Tenders

During tender evaluation, all tender submissions will be assessed in accordance with the previously agreed or approved weightings on the marking scorecard. Scores should be based on the information in the tender submission. Notes can be added to explain the rationale behind the scoring for future reference.

5.3.5 Disclosure of Tender Evaluation Criteria

- (a) It is good practice to provide the evaluation criteria including any passing mark and mandatory requirements in the tender documents as it will inform tenderers which areas are of greatest importance. It will therefore provide an open, fair and transparent arena for all tenderers.
- (b) Pre-determined and published evaluation criteria should not be changed once the tender documents and evaluation criteria have been issued to tenderers. If changes are required, all tenderers should be notified accordingly. However, under no circumstances should the evaluation criteria be changed after the opening of tenders.
- (c) The TAT should decide the appropriate level of detail to be disclosed to the tenderers about the tender assessment weighting and evaluation criteria.

5.3.6 Combined Technical and Price Evaluation (Marking Scheme)

- (a) The assessment criteria should be transparent, clear and visible to the tenderers.
- (b) The weightings should suit the complexity of the project. Markings for particular requirements such as sustainability or innovation may be separately identified with their own marks.
- (c) The marking scheme should focus on how the Consultant can improve the cost, time and quality of the project rather than submit a reduced fee.

5.3.7 Fee Assessment Scheme

- (a) If the lowest fee is intended to be the winner then this should be made clear.
- (b) High or low fees outside a normal range should be treated with caution.
- (c) Fee build-ups may be required – if so the format should be clearly stated.
- (d) If man-hour rates are included in a fee build-up, they should be the same or within a specified range as the rates for variations.

5.3.8 Passing Score

- (a) If some requirements are fundamental to the project, a passing score can be applied to a particular aspect and/or to the overall score. For instance, it may be necessary for the Consultant to have certain qualifications to perform services in line with statutory requirements. In this case, the Consultant should achieve evaluation scores above passing, thus avoiding the risk of ending up with tenderers that score highly in many aspects but very poorly in the most important area.
- (b) The decision to include a passing score should be determined before issuance of the tender documents or tender submission.

5.3.9 Technical Evaluation

Tenders should be initially assessed by the TAT members individually in accordance with the technical evaluation criteria before they meet to discuss their assessment, followed by a fee assessment.

5.3.10 Alternative Tenders

To maintain a level playing field in tender exercise, the assessment criteria and methodology for both conforming and alternative tenders should be the same and predetermined before the return of tenders preferably before the issuance of tenders.

5.3.11 Tender Interview

In some circumstances, the TAT may need to hold a tender interview as part of the technical assessment of tenders to assess the technical capability of the tenderer such as assessment of the proposed personnel or presentation or demonstration of the key aspects of the technical proposal. Tenderers should be informed if this is the intended arrangement. Such interviews, presentations and demonstrations should be carefully managed to ensure all tenderers are treated fairly. A common agenda should be used, with time limits applicable to all tenderers. A hard copy of all presentation materials should be kept as a record.

5.3.12 Exclusion and Qualification

Tenderers may include conditions, exceptions, provisions, restrictions, or explicit or implicit qualifications in their tender submissions. To enable fair comparison of all tender submissions, any derivation should be promptly addressed and properly assessed through tender clarification. Such conditions may ultimately lead to the disqualification of particular tender submissions. If a tender is rejected, the reasons for such action should be clearly documented and communicated to the tenderer.

5.3.13 Negotiation

- (a) Under certain circumstances, negotiation may be conducted with the tenderers during tender evaluation before awarding of the contract. For instance, negotiation may be an option if there are no acceptable tenders received, if there are changes to the project specifications or other tender requirements after the close of the tender, or if the time required for re-tendering is not feasible.
- (b) If negotiation goes ahead, the negotiation strategy, objectives and targets should be well defined and appropriate Client authority obtained before commencing the official negotiation. The process should be documented for record-keeping purposes. After the negotiation process, it is good practice to have the final offers returned officially to ascertain the mutual agreement.
- (c) To facilitate negotiations, all invitations to tender should contain a standard clause stating that the Client reserves the right to negotiate with any or all tenderers about the terms and price of the tender. The selection of tenderers for negotiations should be based on objective and fair criteria such as the best tender offer.

5.3.14 The Most Advantageous Tender

This is generally the criterion for contract award, defined as the tenderer who has been determined to be capable of fulfilling the terms of the contract and whose tender conforms to the essential requirements of the tender documents and achieves the highest combined technical and price score based on the evaluation criteria specified in the tender documents.

5.4 Contract Award and Other Actions

5.4.1 Tender Evaluation Report and Recommendations

After completing the evaluation, a final report may be prepared to conclude the process. It may include the following:

- Background of the project
- Evaluation process including time required
- Summary of the tender results and outcome

- Recommendations

5.4.2 Maintenance of Tender Assessment Record

All decisions made on the tender evaluation should be fully documented and all paperwork produced from the evaluation process kept in the tender record for the audit trail. It is good practice to have the final combined evaluation scores with breakdown of scores among tenderers signed by the TAT for record-keeping purposes.

If unsuccessful tenderers request feedback on particular areas, the TAT should be able to retrieve it from the records and provide constructive feedback for future improvement.

5.4.3 Debriefing Session for Unsuccessful Tenderers

The purpose of a debriefing session is to recognise the efforts of unsuccessful tenderers elaborate on the tender evaluation and provide feedback on the strengths, and weakness in the tender submission as a learning opportunity. It is not an occasion for appeals, negotiations or debate, but it does allow the tenderers to understand their strengths and areas for improvement. A debriefing session may also be requested by a successful tenderer as an opportunity to learn their ranking, strengths and weaknesses in particular areas. Information related to other tender submissions must not be disclosed except with prior agreement of other Consultants having been obtained.

Debriefing may be given in the form of letters, faxes, emails or face-to-face meetings, depending on the Client's practice and the nature and complexity of the project. If a face-to-face meeting is conducted, a procurement representative should be present.

5.5 Potential Areas for Improvement

5.5.1 Consideration of Corporate Experience in Marking Scheme of Technical Proposal

Clients often consider prospective Consultants' corporate experience as an important factor in assessing their ability to undertake a project. Accumulated experience can make a significant contribution towards the success of a project and many Consultants invest time and energy in research and development of methodology in this aspect. For this reason, consideration of corporate experience is often an important factor in the pre-qualification and also tender technical assessment. However, there are concerns expressed that larger Consultants may dominate evaluation schemes through higher technical scores contributed by more job references. Careful consideration should be given to the appropriate weighting to such experience in a tender exercise to avoid

inappropriate bias towards a restricted number of Consultants. Corporate experience should remain as a factor in the tender technical assessment but a lower weighting may be adopted where all tenderers have passed the prequalification assessment process

5.5.2 Focus on Designated Consultant Team Experience in Tender Assessment

Unreasonably low tendered fees pose a risk to the industry as a whole as they may lead the Consultant to cut the services to match the low fee or resort to contractual disputes to recoup the shortfall in the fees.

To minimise the possibility of new Consultants submitting unreasonably low tenders due to intense competition with larger firms, the tender assessment should focus on the experience of the particular staff proposed for the project rather than the corporate experience. Further, it is suggested to allow new Consultants to gain experience in smaller projects first.

The assessment should stress the Consultant's knowledge of the objective, the experience of the designated Consultant team, the approach to the project, any innovation idea and cost effectiveness of the proposal, etc.

Some stakeholders suggested the Consultant's performance assessment should only be considered during the pre-qualification stage. However, others considered such practice would significantly downplay the importance of performance assessment.

5.5.3 Revamp of the Two-Envelope System

(a) Marking Practices

Sometimes the weighting of the technical proposal as compared to that of the fee proposal may not work as intended because the narrow technical mark banding results in an actual weighting which favours low fees rather than the quality of the technical submission. Subject to the requirements of each project, it is suggested to broaden the technical marking band so that technical marks could take the precedence in accordance with the original intention of the two envelope system, i.e. technical competence comes first.

For small or general civil engineering type of consultancies which may not require much innovative approach, it could be achieved by determining a bar of passing marks for the technical assessment. Once the bar is passed, tenderers could compete on a fee basis only. Once Consultants have satisfied the passing mark requirements, the fact that a Consultant scores a few marks higher than another Consultant may not mean better service. In fee competition, if the lowest tender price is too much below the average, say 25%, a review

should be conducted to check whether the tender is justified and complies with the requirements.

(b) Approach to Low/High Tenders

It is difficult to establish a yardstick to establish a floor (or ceiling) level for fees and therefore no simple method can be stated for dealing with unreasonably low (or high) fees. Several considerations are suggested below that may assist in dealing with unreasonably high / low tenders:

- It may be possible to establish a yardstick technical mark and fee level for the particular project to assess the tender. Fee or technical proposals which significantly deviate from the yardstick may be adversely assessed in the marking system or rejected. A passing mark with mandatory requirements as appropriate may be set for all technical assessments.
- A benchmark fee may be set before tender return by estimating man-hours and rates required for the job. Returned tenders which are more than a certain percentage below the benchmark may not gain extra marks in the fee assessment. In other words, any fee which is below the benchmark fee already achieves 100% of the potential fee marks and there is no further marking advantage for a much lower tender.
- An “Average Price” system may be introduced to discourage unreasonably high / low tenders. The average fee could be calculated by discarding the highest and lowest fees and averaging the fees of the remaining tenders. Any tender which deviate more than a certain percentage from the average fee may not be considered further. Alternatively, all tenders below the average fee may be given the same fee marks and this means individual tenderers submitting a much low lower tender will gain no further advantage in the fee marking.

(c) Disconnection between Technical Man-hours and Fee Proposal

Some industry stakeholders expressed concern that the man-hours submitted by the Consultants are not commercially achievable within the fee quoted. In this regard, it is suggested to link the man-hour rates in the tender to the additional works rates only to reduce the chance of a disconnection between the stated man-hours and the proposed fee. In addition, the estimated number of man-days indicated in the tender submission could also be part of the technical assessment in terms of the sufficiency of resources allowed for performing the services

(d) Elimination of Qualified but Exceptionally Low Tender

If a tenderer submits an unrealistic offer far below the cost of undertaking the service, the tender submission, which may be technically acceptable, will require further examination before it is considered for acceptance. This may include clarification of the tenderer's intended method of delivering the services and resource allocation for the project, the company's current financial position, work load and performance, availability of any parent company's financial support, ability to provide the required bond, track record in past projects with the Client, etc. to establish if the tenderer is capable of performing the contract. Supporting documentation, such as clarification correspondence, rationale and justification for the final tender recommendation, should be kept for records.

Chapter 6 – Performance Assessment

Note: This section is only intended to provide some guidelines on the common factors to be considered in assessing a consultant's performance. The proposed detailed scoring system is a matter for implementation by the individual Client.

6.1 General

The following documents are required for performance assessment:

- (a) the Scope of Services/Design Brief document of the Consultancy Agreement;
- (b) a clear marking scheme/ criteria of success;
- (c) a proper record of all design changes issued to the Consultant during the project; and
- (d) a proper record of the performance assessment.

6.2 Performance Assessment Method

Assessment of the Consultant's performance is generally based on its performance at the various stages of a project from project initiation to project completion, depending on the scope of the Consultant's services under the Consultancy Agreement. A typical performance assessment scheme is given below for reference:

Key Stage	Key Assessment Aspects
General	<p>The project team's organisational structure</p> <p>The project team's staffing (check the actual team staff / leader and their degree of devotion to the project)</p> <p>The project team's management ability</p> <p>Staff / leader of the project</p> <p>Compliance with staff proposal</p> <p>Compliance with contract requirements</p>
Concept, Feasibility and Planning	<p>Design quality, understanding of the brief and innovative ideas</p> <p>Addressing design problems and offering solutions</p> <p>Compliance with Client's requirements</p>
Design Development	<p>Implementation of design concept from the preliminary stage to the pre-construction stage</p>

Key Stage	Key Assessment Aspects
	Management of changes from the Client and the Project Team Ability to produce a cost effective design Innovative ideas
Construction Drawings and Documents	Time management in implementation of design concept into construction documents Cost control Design coordination with other design disciplines Production of construction drawings and specifications on time, within budget Quality of construction drawings and specifications
Tender	Advise Client on potential tenderers Preparation of tender documents Timely response to design queries from tenderers Timely issue of tender addenda as necessary Assessment of tenders including tender alternatives
Construction	Site coordination and supervision Site visits and factory visits Response to contractor's design queries Issue of additional or amended drawings to resolve design issues Approval of contractor's shop drawings and method statements Approval of materials Checking of contractor's programmes Assessment of contractor's claims
Commissioning and Handover	Attendance in statutory inspections and obtaining statutory approvals and occupation permits Checking of as-built documents Checking of operation and maintenance manuals Issue of as-built drawings Attendance to defects Assessment of contractor's claim Collection of users' feedback Attendance to preparation of Final Account

These results should be fed back into the consultancy selection process for future improvements.

6.3 Feedback into Future Procurement

Consultant's past performance records should be a factor to be considered in the technical assessment of future tenders submitted by the relevant Consultant.

Appendix A

Sample Ethical Commitment Clauses in Consultancy Agreement

Information not to be Divulged

(A) The Consultant shall not use or divulge, except for the purpose of the Contract, any information provided by the Employer in the Contract or in any subsequent correspondence or documentation. Any disclosure to any person or agent or sub-consultant for the purpose of the Contract shall be in strict confidence and shall be on a “need to know” basis and extend only so far as may be necessary for the purpose of this Contract. The Consultant shall take all necessary measures (including by way of a code of conduct or contractual provisions where appropriate) to ensure that information is not divulged for purposes other than that of this Contract by such person, agent or sub-consultant. The Consultant shall indemnify and keep indemnified the Employer against all loss, liabilities, damages, costs, legal costs, professional and other expenses of any nature whatsoever the Employer may suffer, sustain or incur, whether direct or consequential, arising out of or in connection with any breach of the aforesaid non-disclosure provision by the Consultant or his employees, agents or sub-consultants.

Prevention of Bribery

(B) The Consultant shall prohibit his employees, agents, and sub-consultants who are involved in this Contract from offering, soliciting or accepting any advantage as defined in the Prevention of Bribery Ordinance, Cap 201 when conducting business in connection with this Contract.

Declaration of Interest

(C) The Consultant shall require his employees, agents and sub-consultants who are involved in this Contract to declare in writing to the Consultant any conflict or potential conflict between their personal/financial interests and their duties in connection with this Contract. In the event that such conflict or potential conflict is disclosed in a declaration, the Consultant shall forthwith take such reasonable measures as are necessary to mitigate as far as possible or remove the conflict or potential conflict so disclosed.

(D) The Consultant shall prohibit his employees who are involved in this Contract from engaging in any work or employment other than in the performance of this Contract, with or without remuneration, which could create or potentially give rise to a conflict between their personal/financial interests and their duties in connection with this Contract. The Consultant shall also require their sub-consultants and agents to impose similar restriction on their employees by way of a contractual provision.

(E) The Consultant shall take all necessary measures (including by way of contractual provisions where appropriate) to ensure that his employees, agents and sub-consultants who are aware of the prohibitions in this clause.

Consultant's Declaration

(F) The Consultant shall also submit a signed declaration in a form (*Annex*) prescribed or approved by the Employer to confirm compliance with the provisions on ethical commitment as stated in the aforesaid sub-clauses (A), (B), (C), (D) and (E). If the Consultant fails to submit the declaration as required, the Employer shall be entitled to withhold payment until such declaration is submitted and the Consultant shall not be entitled to interest. To demonstrate compliance with the aforesaid sub-clauses (A), (B), (C), (D) and (E) on confidentiality, prevention of bribery, and declaration of interest, the Consultant and their sub-contractors employed for the performance of duties under this Contract are required to deposit with the Employer a code of conduct issued to their staff.

***Declaration Form
by Consultants on Their Compliance with the Ethical
Commitments Requirements***

To: [Name of the Employer]
Agreement No.:
Title:

In accordance with the Ethical Commitment clauses of the Contract, we confirm that we have complied with the following provisions and have ensured that our directors, employees, sub-consultants, agents are aware of the following provisions:

(a) Prohibiting our directors, employees, agents and sub-consultants who are involved in this Contract from offering, soliciting or accepting any advantage as defined in section 2 of the Prevention of Bribery Ordinance, Cap 201 when conducting business in connection with this Contract;

(b) Requiring our directors, employees, agents and sub-contractors who are involved in this Contract to declare in writing to us any conflict or potential conflict between their personal/financial interests and their duties in connection with this Contract. In the event that a conflict or potential conflict is disclosed, we will take such reasonable measures as are necessary to mitigate as far as possible or remove the conflict or potential conflict so disclosed;

(c) Prohibiting our directors and employees who are involved in this Contract from engaging in any work or employment other than in the performance of this Contract, with or without remuneration, which could create or potentially give rise to a conflict between their personal/financial interests and their duties in connection with this Contract and requiring our sub-consultants to do the same;

(d) Taking all measures as necessary to protect any confidential/privileged information or data entrusted to us by or on behalf of the Employer from being divulged to a third party other than those allowed in this Contract.

(Name of the Consultant)
(Name of the Signatory)
(Position of the Signatory)
(Date)

Appendix B

Sample Probity and Anti-collusion Clauses in Tender Documents

Probity Clause

(1) The tenderer shall not, and shall procure that his employees, agents and sub-consultants shall not, offer, solicit or accept an advantage as defined in the Prevention of Bribery Ordinance, Cap 201 in connection with the tendering and execution of this contract.

(2) Failure to so procure or any act of offering, soliciting or accepting advantage referred to in (1) above committed by the tenderer or by an employee, agent or sub-consultant of the tenderer shall, without affecting the tenderer's liability for such failure and act, result in his tender being invalidated.

Anti-collusion Clause

(3) The tenderer shall not communicate to any person other than the *[name of employer] (hereafter referred to as the Employer)* the amount of any tender, adjust the amount of any tender by arrangement with any other person, make any arrangement with any other person about whether or not he or that other person should or should not tender or otherwise collude with any other person in any manner whatsoever in the tendering process until the tenderer is notified by the Employer of the outcome of the tender exercise. Any breach of or non-compliance with this sub-clause by the tenderer shall, without affecting the tenderer's liability for such breach or non-compliance, invalidate his tender.

(4) Sub-clause (3) of this Clause shall have no application to the tenderer's communications in strict confidence with his own insurers or brokers to obtain an insurance quotation for computation of tender price and communications in strict confidence with his sub-consultants to solicit their assistance in preparation of tender submission.

(5) The tenderer shall submit to the Employer a duly signed letter in the form set out in *Annex*. The letter shall be signed by a person authorised to sign the contracts on the tenderer's behalf.

Declaration Form
by Consultants on Their Compliance with the
Anti-Collusion Requirements

To: [Name of the Employer]

Dear Sir / Madam,
Contract No. []

[I/We]¹, [(Name of the tenderer)² of (Address of the tenderer)² refer to [my/our]¹ tender for the above Contract. [I/We]¹ confirm that as at the time of submission of this letter and other than the Excepted Communications referred to in the last paragraph of this letter [I/we]¹ had not communicated to any person other than the [Name of the Employer] (hereafter referred to as the Employer) the amount of any tender, adjusted the amount of any tender by arrangement with any other person, made any arrangement with any other person about whether or not [I/we]¹ or that other person should tender or otherwise colluded with any other person in any manner whatsoever and undertake that at any time thereafter in the tendering process for the above Contract until the tenderer is notified by the Employer of the outcome of the tender exercise and other than the Excepted Communications referred to in the last paragraph of this letter [I/we]¹ will not communicate to any person other than the Employer the amount of any tender, adjust the amount of any tender by arrangement with any other person, make any arrangement with any other person about whether or not [I/we]¹ or that other person should tender or otherwise collude with any other person in any manner whatsoever.

¹ Delete as appropriate.

² Where the tenderer comprises two or more persons or companies acting in partnership, joint venture or otherwise, this part in square brackets should be expanded to include the respective names and addresses of such persons or as the case may be companies.

Appendix B – Sample Probity and Anti-collusion Clauses in Tender Document

In this letter, the expression “Excepted Communications” means [my/our]¹ communications in strict confidence with [my/our]¹ own insurers or brokers to obtain an insurance quotation for computation of tender price and communications in strict confidence with [my/our]¹ sub-consultants to solicit their assistance in preparation of tender submission.

(Signed for and on behalf of the tenderer)³

³ Where the tenderer comprises two or more persons or companies acting in partnership, joint venture or otherwise, all such persons or as the case may be companies must sign. The signatory for each of such persons or companies shall be a person authorized to sign the contract on behalf of that person or as the case may be company.

Appendix C

Evaluation Criteria for Consultancy Service

$$\text{Overall Score} = 30 \times \left(\frac{\text{the lowest tender price}}{\text{the tender price}} \right) + 70 \times \left(\frac{\text{the technical score}}{\text{the highest technical score}} \right)$$

Weighting for price may be lower if the technical inputs are more required

Technical Evaluation Criteria	Weighting
Relevant Job Experience	
Understanding and Compliance with Requirements	
Design Capability and Resources	
Project Management Capability and Resources	
Site Supervision Capability and Proposal	
Innovation and Environmental Capability	
Collaborative Capability	
Total :	100%



Feedback Form

Reference Materials on the Selection of Consultants

Thank you for reading this publication. To improve our future editions, we would be grateful to have your comments.

(Please put a "✓" in the appropriate box.)

1. As a whole, I feel that the publication is:	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Informative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comprehensive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Useful	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Practical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the publication enable you to understand more about the selection of consultants?	Yes	No	No Comment		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3. Have you made reference to the publication in your work?	Quite Often	Sometimes	Never		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4. To what extent have you incorporated the recommendations of the publication in your work?	Most	Some	None		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5. Overall, how would you rate our publication?	Excellent	Very Good	Satisfactory	Fair	Poor
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Other comments and suggestions, please specify (use separate sheets if necessary).					
Personal Particulars (optional):*					
Name:	<u>Mr. / Mrs. / Ms. / Dr. / Prof. / Ir / Sr ^</u>				
Company:	_____				
Tel:	_____				
Address:	_____				
E-mail:	_____				

* The personal data in this form will be used only for this survey. Your data will be kept confidential and dealt with only by the Construction Industry Council.

^ Circle as appropriate.

Please return the feedback form to:

CIC Secretariat – Council Services

E-mail: enquiry@hkcc.org

Address: 15/F, Allied Kajima Building, 138 Gloucester Road, Wan Chai, Hong Kong

Fax No.: (852) 2100 9090