

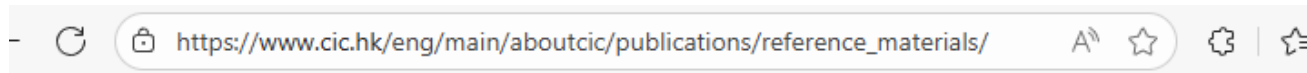
Legal Consultancy Services for the Revamp of CIC Standard Form of Domestic Sub-Contract

Tender Briefing Session
4 Nov 2025

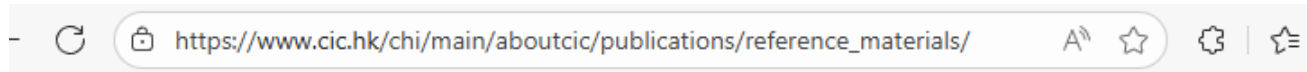


Background

- CIC's long-standing **commitment to promoting good practices** in the construction industry [\[Assignment Brief 1.1\]](#)
- In line with this commitment, the **CIC Standard Form of Domestic Sub-Contract** ("CIC Standard Form") was published in **February 2016** [\[Assignment Brief 1.2\]](#)



Reference Materials for Standard Forms of Domestic Sub-Contract (February 2016) [Link](#)



參考資料 - 標準自選分包合同參考資料 (2016年2月) [連結](#)

- Nearly a decade later, a **comprehensive revamp** is essential to ensure **continued relevance and alignment with current industry needs and best practices**, particularly the **SOP Ordinance** [\[Assignment Brief 1.3\]](#)
- Private sector projects still rely on varied in-house sub-contract formats—this revamp offers a timely opportunity to establish a **unified, equitable, and practical sub-contract provisions** that can achieve **broader industry adoption** [\[Assignment Brief 1.4\]](#)

The Task Force *[Assignment Brief 1.5]*

- **Task Force on the Revamp of CIC Standard Form of Domestic Sub-Contract** (“the Task Force”) has been established under the Committee on Construction Business Development and Productivity (“Com-CBD&PRO”) to **oversee the revamp process**
- The **CIC Secretariat** would **render all necessary support** to the Task Force and for this Legal Consultancy Services

Objectives *[Assignment Brief 2.1]*

- To undertake a **comprehensive revamp** of the CIC Standard Form to develop a **unified** standard form of domestic sub-contract. The revamped CIC Standard Form shall comprise:
 - (i) A **Main Booklet** containing
 - a set of **revamped sub-contract provisions**; and
 - (ii) A **Supplementary Booklet** containing:
 - **Part A**: A set of **guidelines and/or guidance notes**
 - **Part B**: A set of **recommended good practices with ready-to-use template special conditions of sub-contract** to implement these good practices

Requirements – General *[Assignment Brief 2.2(a)]*

Foundation and Benchmarking

- ❑ The **existing CIC Standard Form** will serve as the **foundation, benchmarked against leading local and international standard sub-contract forms**, such as:
 - Standard Form of Domestic Sub-Contract (2008 Edition) published by the HKCA
 - Agreement & Schedule of Conditions of Nominated Sub-Contract for use in the Hong Kong Special Administrative Region (2025 Edition) jointly published by HKIA, HKIS and HKICM

Compliance and Alignment

- ❑ Full compliance with the **SOP Ordinance**
- ❑ Address **prevailing industry needs**
- ❑ **Balance interests of all parties** to secure **stakeholder buy-in** and drive **widespread adoption**

Equity & Clarity

- ❑ **Balanced and proportionate** between both contracting parties with **clearly defined responsibilities and obligations**

Requirements – The Booklets

Main Booklet

[Assignment Brief 2.2(b)]

- Sub-contract provisions shall be **generalised to accommodate different forms of sub-contracts**, enabling its application in both public works and private works projects

Supplementary Booklet

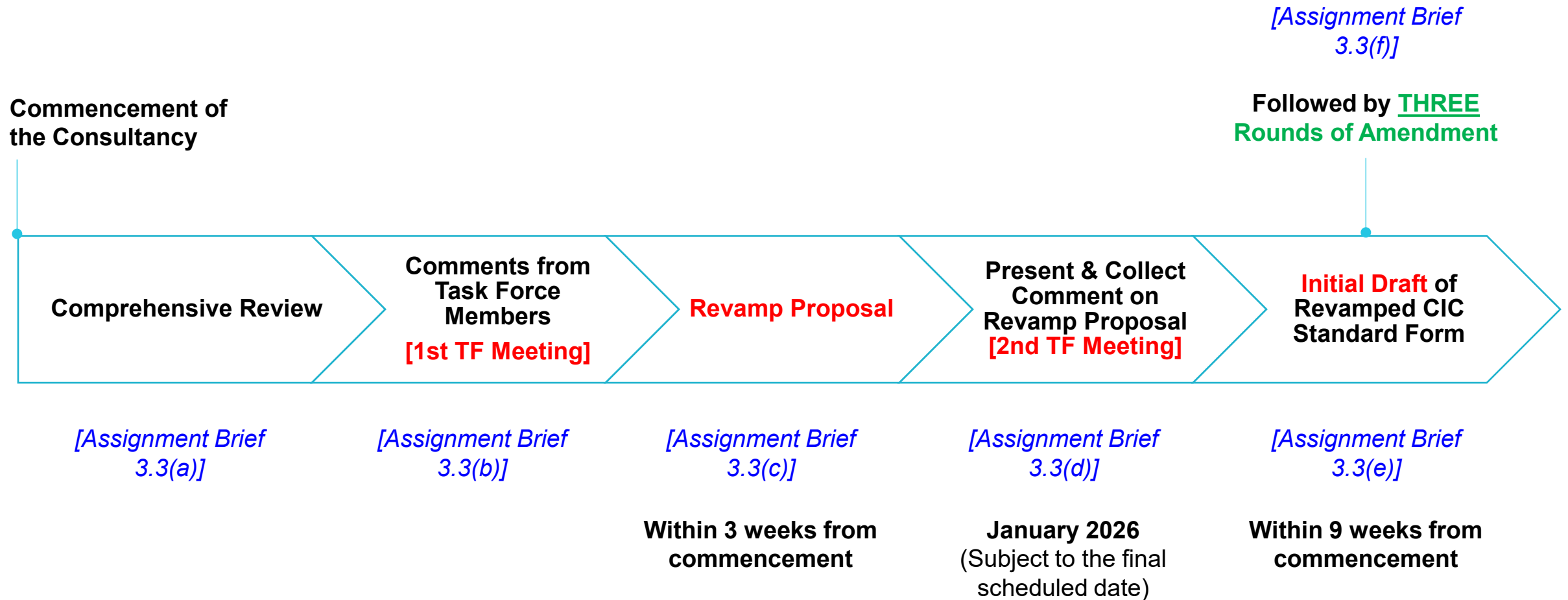
[Assignment Brief 2.2(c)]

- ☐ Part A - Guidelines and/or guidance notes shall:
 - **support the interpretation and practical application** of the revamped sub-contract provisions in the Main Booklet
 - **clarify key contractual concepts and procedures**
- ☐ Part B - Recommended good practices shall:
 - include **good practices not specified in the Main Booklet** but are considered **beneficial for adoption**, with a suite of **ready-to-use template special conditions** of sub-contract for **opt-in implementation**

Scope

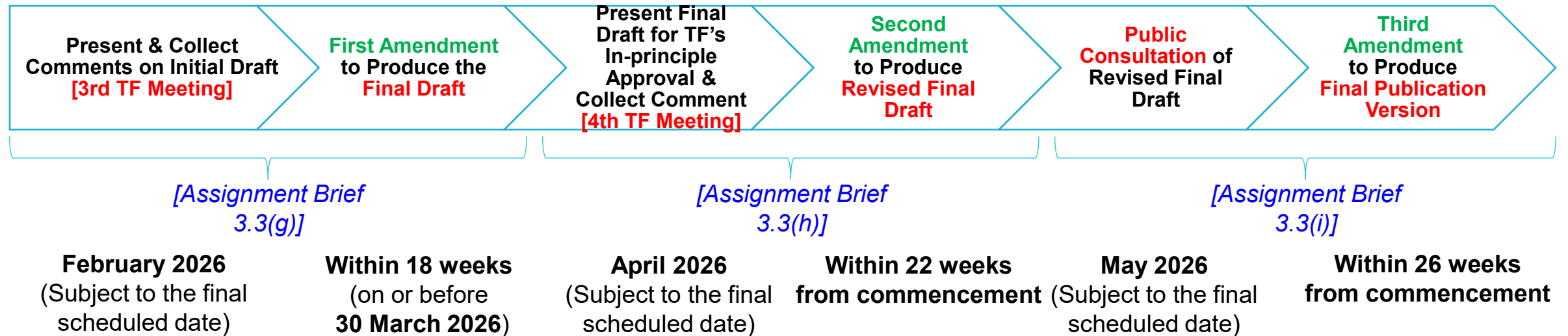
- Revamp both the English and Traditional Chinese versions [\[Assignment Brief 3.1\]](#)
- Given the **diversity of perspectives**, extensive and sometimes divergent comments are expected. Considerable effort will be required to **review, consolidate, and reconcile stakeholder inputs** to ensure a **balanced approach** [\[Assignment Brief 3.2\]](#)

Scope – Process



Scope – Process

THREE Rounds of Amendment



Final Approval *[Assignment Brief 3.3(j)]*

- Two-stage approval process: Submitted to Task Force, then Com-CBD&PRO
- Attend TF meeting and Com-CBD&PRO meetings to present the Final Publication Version in **July 2026** (subject to the final scheduled date)

Note: Throughout the Consultancy, comments from time to time received would be conveyed to the Contractor (Consultant) for consideration at the relevant stage. *[Assignment Brief 3.3(k)]*

Composition of the Consultancy Team

- Include at least the following grade of solicitors [\[Assignment Brief 8.2\]](#)

Project Role	Grade of Solicitor	Requirement
Project Director	Partner / Consultant	Minimum 10 years of experience and any other relevant experience / equivalent qualifications subject to the CIC's approval
Project Manager(s)	Senior Associate(s)	Minimum 7 years of experience and any other relevant experience / equivalent qualifications subject to the CIC's approval
Technical Staff	Associate(s) / Solicitor(s)	Minimum 5 years of experience and any other relevant experience / equivalent qualifications subject to the CIC's approval

Tender Evaluation Criteria *[Appendix E to Conditions of Tender]*

Fee Proposal

30%

Technical Proposal

70%

- ☐ Profile of the law firm (10%)
- ☐ Composition of the Consultancy Team with respect to the availability, level of input, expertise and experience of qualified legal professionals (10%)
- ☐ Proven experience of the Consultancy Team members in providing legal services related to standard forms of construction contracts, with a focus on the Construction Industry Security of Payment Ordinance (Cap. 652) (40%)
- ☐ Outline Revamp Proposal (30%)
- ☐ Tenderer's Performance in CIC's Past Projects (10%)

Outline Revamp Proposal

- Based on the tenderer's **preliminary findings** from a review conducted in accordance with [Assignment Brief 3.3\(a\) and its Annex](#), but it is not required to be as comprehensive as the full review
- **Comprehensive review of existing CIC Standard Form and SOP Ordinance**
[Refer to Final Report of the Consultancy Study on Review and Enhancement of Construction Contract Terms published by CIC in June 2025 as part of the review and note the issues requiring revamping]
- Identify **clauses require revamping**, either through partial amendment or comprehensive overhaul, and propose any necessary **new clauses** that may be necessary to address the following:
 - Outdated clauses
 - Clauses lacking enforceability or contractual robustness
 - Clauses with disproportionate risk allocation
 - New clauses or modification for compliance with SOP Ordinance
 - Omitted provisions
 - Other deficiencies or insufficiencies

Issues raised in 1st TF Meeting as requiring revamping:

- Payment
- Risk-sharing
- Contra-charge
- Variations and their assessment
- Extension of time and monetary claims in relation to extension of time

Outline Revamp Proposal

- Meet the **requirements** set out in [Assignment Brief 3.3\(c\) and its Annex](#), but not to the same level of detail as required for the Consultancy Service upon appointment
 - **Revamp Framework**, based on the existing version of CIC Standard Form, outlining the following with rationale and justifications:
 - **Which** clauses should be revamped, and **to what extent, how** such clauses should be revamped
 - **What** new clauses should be introduced
 - **Preliminary Outline of the Supplementary Booklet**
 - Part A: Guidelines / guidance notes on the revamped sub-contract provisions in the Main Booklet
 - Part B: Recommended good practices that could be promoted in domestic sub-contracting, along with the corresponding template special conditions of sub-contract to facilitate their opt-in implementation
[For reference, CIC has previously drafted a set of good practices, enclosed in Annex A of the Assignment Brief]

Tender Closing

Tender should be submitted to

Location : **Tender Box of CIC at G/F, Hong Kong Institute of Construction - Kowloon Bay Campus,
44 Tai Yip Street, Kowloon Bay, Kowloon, Hong Kong**

Date and Time : **12:00 noon on 19 November 2025**

[Late submission will NOT be considered. Failure to do so shall render the tender.]

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Q & A