

Notice of Inviting Expression of Interest through Internet

24 August 2005

Agreement No. CE 38/2005 (HY)

Traffic Improvements to Tuen Mun Road Town Centre Section – Feasibility Study

Interested consultants are invited to express their interest in undertaking the above consultancy.

Consultants should fulfill and declare that they have met the following longlisting criteria for their submissions to be considered further:

1. A company with an office and registered in Hong Kong has at least 20 local professional staff.
2. The consultants should have at least the prescribed number of professional staff resident in Hong Kong with sufficient knowledge and experience in each of the following service categories:

<u>Category</u>	<u>Minimum local Professional Staff</u>
General civil engineering	2
Highway/bridge engineering	2
Geotechnical engineering/Geology	1
Traffic engineering/Transportation	1

3. The consultants should have at least one professional staff resident in Hong Kong with sufficient knowledge and experience in any two of the following service categories:
 - Environmental studies
 - Structural engineering
 - Electrical and mechanical engineering
 - Project management

Interested consultants may obtain an Electronic Invitation Package (EIP) in the context of Works Bureau Technical Circular No. 17/2001 for the assignment by contacting the following officers of Highways Department:

<u>Name</u>	<u>Post</u>	<u>Telephone</u>	<u>Fax No.</u>
Mr. S. C. Wong	Senior Engineer	2762 3666	2714 5222
Ms. M. D. Tam	Assistant Engineer	2762 4951	2714 5222

The scope of this assignment, which is to commence in December 2005, is indicated in the attached copy of the draft Brief given in **Annex A** of the Electronic Invitation Package (EIP).

If you are interested in this assignment, would you please reply to the Major Works Project Management Office, Highways Department at 6/F, Ho Man Tin Government Offices, 88 Chung Hau Street, Ho Man Tin, Kowloon before **12:00 noon on 9 September 2005 (Friday)**, by submitting six sets of documents containing the following information in a maximum of four A4 pages with a minimum font size of 12:

- (a) your broad approach to the assignment and appreciation of requirements;
- (b) previous relevant experience both in Hong Kong and elsewhere;
- (c) an indication of key staff likely to be employed for the assignment, together with their curriculum vitae, degree of involvement in the project (in terms of time percentage) and current commitments in other projects (also in terms of time percentage);
- (d) an indication of sub-consultants to be employed; and
- (e) your comments on the draft Brief.

Please note that no attachments, except for the curriculum vitae of the key staff likely to be employed on the consultancy, should be included in your submission. Late submissions or submissions that do not conform to the requirements in respect of the number of pages, the page size, the font size or the attachments will not be considered.

If a black rainstorm warning or typhoon signal No. 8 or above is hoisted between 9 a.m. and 12 noon on the closing day for receipt of the submissions, the closing date shall be extended to 12 noon on the following working day (excluding Saturday). Late submissions will not be considered.

You may make your submission in either electronic format or hard copy format. If part of the submission is made in both electronic and hard copy formats, the electronic format shall prevail over the corresponding hard copy format. If you elect to make your submission in electronic format, the documents for your proposal shall be prepared and submitted in accordance with **Annex B** of the EIP – Requirements for Submission of Proposal in Electronic Format. All proposals, whether submitted in electronic format or in hard copy format, will be evaluated on an equal basis.

The electronic documents for preparing your submission are included in the attached CD-ROM and are listed in Schedule 2 to the attached licence conditions for using these documents. You will be deemed to have accepted these conditions if you use these documents listed in Schedule 2.

The assessment criteria and weightings for marking the expression of interest submitted by consultants and the composition of the assessment panel are given in **Annex C** of the EIP. For information, the Assessment Panel has agreed that for this consultancy, the past performance of sub-consultants will not be assessed in the Technical and Fee Proposal stage but the past performance of sub-consultants shall continue to be a mandatory assessment criteria in the Expression of Interest stage (see ETWB TC(W) No. 19/2004).

If you are a limited liability company, then you are required to submit documentary proof that the majority of the voting power in meetings of the company shall be held by directors who are consulting engineers (or equivalent professionals of associated professions).

You are also required to declare any involvement or interest if it is considered by you to be in real or apparent conflict with the duties to be performed for this consultancy. Any involvement or interest declared would be carefully considered but would not automatically bar you from being further considered in the selection process.

You are required to comply with the requirements as described in the “Notes to the Requirements of Quality Management System Certification of Consultants in **Annex D** of the EIP, and submit all necessary documents together with your expression of interest submission.

The initial list of qualified consultants approached for this Assignment is given in **Annex E** of the EIP for your information. However, you should note that the Government is not bound to invite technical and fee proposals from any of these consultants expressing an interest. Based on the response received, normally not less than four suitable firms will be shortlisted for submission of technical and fee proposals.

Consultants having linkages to each other, e.g. subsidiaries, parent or sister companies are not allowed to bid on the same agreement. Only one firm of such consultants, as the case may be, should submit expression of interest for this agreement. You are required to declare any linkage with other consultants on the above list.

Please note that where the Consultants are non-resident corporation or, where the Consultants are unincorporated joint venture or partnership or sole proprietorship, any one of the participants or partners or the sole proprietor is a non-resident, the Government shall withhold a percentage equivalent to the prevailing Hong Kong Special Administration Region (hereinafter referred to as Hong Kong) profits tax rate applicable to unincorporated and incorporated business at the time the services are rendered (the current rates being 16% for unincorporated business and 17.5% for incorporated business for the year of assessment of 2004/2005) of any fee payable to the Consultants, whether by way of lump sum, instalments or discounted payments, but exclusive of any reimbursement of expenses, if any, in respect of the Services performed/provided in Hong Kong for the settlement of Hong Kong profits tax chargeable on the fee. Any balance representing the excess of fees so withheld in the basis period of the year of assessment over the Consultants' tax liability for that year will be returned to the Consultants without interest within a reasonable time upon final determination and settlement of their tax liabilities.

Where the Consultants are non-resident corporation or, where the Consultants are unincorporated joint venture or partnership or sole proprietorship, any one of the participants or partners or the sole proprietor is a non-resident, should they be awarded the consultancy, such data (including but not limited to their names, nature of engagement, consultancy period, consultancy fee, correspondence address (both local and overseas) and the amount of tax withheld) will be notified/provided to the Inland Revenue Department for tax assessment and collection purposes.

“Non-resident” means in the case of an individual, one who maintains a place of abode outside Hong Kong; and in the case of a corporation, one which is not incorporated in Hong Kong.

Consultants shall declare their resident status or the sole proprietor's resident status in their consultancy proposals. If the Consultants are unincorporated joint venture or partnership, the Consultants must declare the resident status of each and every participant or partner thereof. A sample declaration letter is given in ETWB TWC No. 34/2004.

Please also note that documents of unsuccessful consulting firms will be destroyed three months after the date the Agreement has been awarded and signed.

I should be pleased if you would acknowledge receipt of this invitation letter by completing the attached Reply Slip.

If you have any enquiry, please contact my Senior Engineer, Mr. S. C. Wong at 2762 3666 or email address of setmr.mw@hyd.gov.hk.