

# Notice of Inviting Expression of Interest through Internet

Restricted (Contract)

1 April 2005

## **Agreement No. CE 11/2005 (HY)** **Tuen Mun Eastern Bypass – Feasibility Study**

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

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

1. A company registered in Hong Kong with an office in Hong Kong with resident staff.
2. Have at least one professional staff in Hong Kong serving in each of the following service categories:
  - S2 Geotechnical Engineering/Geology
  - S7 Tunnel Engineering
  - S8 Traffic Engineering/Transportation
  - S9 Highway Engineering/Bridge
3. Have at least one professional staff in Hong Kong serving in any two of the following service categories:
  - S1 General Civil Engineering
  - S5 Structural Engineering
  - S11 Environmental Studies
  - S13 Electrical and Mechanical Engineering
  - S14 Project Management
4. The consultants should comply with the ISO 9001:2000 certification requirements as described in Annex D of the EIP.

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. Stephen Wong	Senior Engineer	2762 3423	3188 5228
Ms. Irene Tam	Engineer	2762 3416	3188 5228

The scope of this assignment is indicated in the Draft Brief given in **Annex A** of the EIP. The consultancy agreement is planned to commence in August 2005.

If you are interested in this assignment, would you please reply to the Project Manager / Hong Kong – Zhuhai – Macao Bridge Hong Kong at 4/F, Ho Man Tin Government Offices, 88 Chung Hau Street, Ho Man Tin, Kowloon for the attention of Mr. K.C. Ng before **12:00 noon on 21 April 2005 (Thursday)** by submitting **six** sets of documents containing the following information in a maximum of four A4 pages and a minimum font size of 11:

- (a) your broad approach to the problem;
- (b) previous relevant commissions;
- (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 rainstorm black warning or typhoon signal No. 8 or above is hoisted between 9:00 a.m. and 12:00 noon on 21 April 2005, the deadline will be extended to 12:00 noon on the following working day. Late submission 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. **Notwithstanding paragraph 16 in WBTC No. 31/2001, the Expression of Interest in either format shall be submitted directly to this Office at the address given in this letter.**

The electronic documents for preparing your submission are listed in Schedule 2 of the “Licence Conditions for Electronic Invitation Packages” in the EIP. You will be deemed to have accepted these conditions if you use these documents.

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 (EOI) stage (see ETWB TCW 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. This information will not be counted as part of the A4 size pages. 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. Based on the response received, normally not less than four suitable firms will be shortlisted for submission of technical and fee proposals.

It is intended that, from those consultants who express an interest in undertaking the Agreement, a shortlist of consultants will be prepared for the Agreement. The shortlisted consultants will be invited to submit technical and fee proposals for the Agreement, based on which the final selection of the consultants will be made. However, you should note that the Government is not bound to invite technical and fee proposals from any of these consultants expressing an interest.

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 you are non-resident corporation or, where you 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 Administrative 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 your tax liability for that year will be returned to you without interest within a reasonable time upon final determination and settlement of your tax liabilities.

Where you are non-resident corporation or, where you 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 you be awarded the consultancy, such data (including but not limited to your 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.

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

Please 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. Stephen Wong. He can be contacted at 2762 3423 or email address [se4hzmb.hzmb@hyd.gov.hk](mailto:se4hzmb.hzmb@hyd.gov.hk).