

Notice of Inviting Expression of Interest through Internet

Agreement No. CE 77/2017 (EM) The District Cooling System for Tung Chung New Town Extension (East) – Design and Construction

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

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

- (1) Having at least ten professional staff in Hong Kong
- (2) Having at least one professional staff in Hong Kong in each of the following seven categories :
 - (a) S1 General Civil Engineering
 - (b) S2 Geotechnical Engineering/Geology
 - (c) S4 Water Supply, Hydraulics and Hydrology
 - (d) S11 Environmental Studies
 - (e) S12 Urban Planning and Landscaping
 - (f) S13 Electrical and Mechanical Engineering
 - (g) S14 Project Management

[Note : Eligible interested consultants shall contact Mr. T.S. NG at 2808 3770 for arrangement on collection of the Electronic Invitation Package (EIP) in the context of Works Bureau Technical Circular (WBTC) No. 17/2001 for this Assignment at the following address during office hours (i.e. 9:00 am to 12:30 pm and 1:30pm to 5:00pm from Monday to Friday, except public holidays).]

**Energy Efficiency Office,
Electrical and Mechanical Services Department,
7/F, 3 Kai Shing Street, Kowloon Bay, Hong Kong.**

2. The scope of this assignment, which is currently expected to commence in April 2018, is indicated in the draft Brief given in **Annex 1** of the EPI.

3. If you are interested in this assignment, please reply to this Office before 12:00 noon on Friday, 1 December 2017 by submitting **five** sets of documents containing the following information in a **maximum of six A4 pages** with a minimum font size of 12 points:-

- (a) your broad approach to the assignment and appreciation of the requirements;
- (b) previous relevant commissions;
- (c) an indication of key staff likely to be employed for the assignment (together with attachments showing their curriculum vitae and an organization chart of the study/project team as necessary);
- (d) an indication of sub-consultants to be employed (which should include all individual academic institutions, specialists, advisors, experts and the like proposed to be externally engaged to provide the Services under the Agreement, and all references to "sub-consultants" in this notice should be construed accordingly); and
- (e) your comments on the draft Brief given in **Annex 1** of the EIP and the draft Schedule of Fees given in **Annex 2** of the EIP.

Your submission must be submitted in sealed envelopes clearly indicating your company's name and the Project reference [**Expression of Interest for Agreement No. CE 77/2017 (EM) – The District Cooling System for Tung Chung New Town Extension (East) – Design and Construction**] and marked "**Restricted (Contract)**" and placed in the "**Tender Box No. 1 – For EMSD Works Tender only**" shown in **Annex 3**, located in the entrance foyer of the Electrical and Mechanical Services Department, 3 Kai Shing Street, Kowloon, Hong Kong for the attention of Director of Electrical and Mechanical Services.

4. Please note that no attachments, except attachments for the curriculum vitae of the key staff likely to be employed on the consultancy and the organization chart of the study/project team as mentioned above, 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 shall not be considered.

5. You may make your submission in either electronic format or hard copy format. If part of the submissions 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 4** - Requirements for Submission of Proposal in Electronic Format. All proposals, whether submitted in electronic format or hard copy format, will be evaluated on an equal basis.

6. The electronic documents for preparing your submission are listed in Schedule 2 to the Licence Conditions in **Annex 5** for the EIP. You will be deemed to have accepted these conditions if you use the documents listed in Schedule 2.

7. If a black rainstorm warning signal or tropical cyclone signal No. 8 or above is hoisted between 9:00 am and 12:00 noon on the above deadline, the deadline will be extended to 12:00 noon on the following working day. Saturday is not counted as a working day.

8. The assessment criteria and weightings for marking the EOI submitted by consultants and the composition of the Assessment Panel are given in **Annex 6** of the EIP.

9. 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).

10. 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.

11. For information, the Assessment Panel has agreed that for this consultancy, the past performance of sub-consultants will be assessed in the Technical and Fee Proposal stage.

12. The initial list of qualified consultants approached for this Assignment is given in **Annex 7** of the EIP for your information. Based on the response received, normally four suitable firms will be shortlisted for submission of technical and fee proposals.

13. No Consultants are permitted to submit more than one bid for the same agreement. For the avoidance of doubt, Consultants who submit a bid in their own name and a bid in the name of an un-incorporated joint venture/partnership (with the Consultants concerned as a participant/partner) will be considered as having submitted two bids. Consultants (these must be consulting firms to be eligible for being considered for this consultant selection exercise) having linkages to each other, e.g. subsidiaries, parent or sister companies are not allowed to bid on the same agreement. Only one firm among such consultants, as the case may be, should be allowed to submit expression of interest for a consultancy agreement. You are thus

required to declare any linkage with other consultants on the above list using the declaration form in **Annex 8**. The existence of a holding-subsidary relationship shall be determined in accordance with the provisions in Sections 13 to 15 of the Companies Ordinance (Cap 622), "Sister companies" shall mean all companies which are subsidiaries of or otherwise belonging to the same holding company. Consultants having linkages should sort out among themselves before submitting any expression of interest.

14. For the purpose of this "no linkage" requirement, an academic institution and any separate entities/companies formed by the same academic institution or any of its current staff, or any two of such entities/companies (whether formed by the same staff or not), shall be regarded as "linked". An academic institution, and all such entities/companies formed by it or any of its current staff (whether by the same staff or not), shall be allowed to submit only one expression of interest for the same consultancy agreement. You are also required to declare any such linkage with other consultants on the above list using the declaration form in **Annex 8**, if applicable. An entity/company is regarded as formed by the academic institution or its staff if the latter is a partner/shareholder or a director of the former, whether or not the latter is a founding partner/subscriber when the entity/company was formed. However, the "no linkage" rule does not apply to "linked" consulting firms (including academic institutions) who bid as sub-consultants only for any agreement.

15. Failure to observe the requirement stated in paragraphs 13 and 14 shall render all related expression of interest submitted null and void and any such submission shall not be considered.

16. The consultant appointed in the early stage consultancy is a potential bidder, but all the information which was made available to that consultant and all the advice which the consultant has provided and which is relevant to the procurement of this consultancy will be equally made available to all potential consultants upon request.

17. The requirements for ISO 9000 certification are set out at **Annex 9** to this letter.

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

19. Please note that this invitation is made before the necessary funds for the consultancy have been approved. The Government reserves the right to cancel this selection exercise for not having the necessary funds approved or for any other reason, in which case you will accordingly be notified. It should be noted that the Government will not be responsible for the reimbursement of any cost incurred by you for the preparation of the submission.

20. If you require further details, please contact Senior Engineer, Mr. K. C. LO at telephone 2808 3166.
