

Agreement No. CE 53/2009 (TT)
Traffic Study for Admiralty – Feasibility Study
Notice of Inviting Expression of Interest

Interested consultants are invited to express their interest in undertaking the above consultancy. This assignment is to conduct a traffic study in the Admiralty area and calls for traffic engineering expertise in Traffic Engineering, Transport Modelling and Forecasting, Pedestrian Studies and Traffic Impact Studies.

If you are interested in this assignment, you may contact Mr. W.C. Chan (Tel: 2829 5341 or email: wcchan@td.gov.hk) or Mr. Rayson Fung (Tel: 2829 5297 or email: raysonyfung@td.gov.hk) of this Department for the electronic invitation documents, referred to as the Electronic Invitation Package (EIP). You will be deemed to have accepted the licence conditions for EIP (license conditions or **Document K** in the EIP) if you use the documents listed in Schedule 2 in the licence conditions.

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

- (a) Traffic and Transport Consultants; **AND**
- (b) At least TWO professional staff in each and every one of the following disciplines:
 - Traffic Engineering,
 - Transport Modelling and Forecasting,
 - Pedestrian Studies, and
 - Traffic Impact Studies; **AND**
- (c) At least ONE of the professional staff in (b) above is residing in Hong Kong

You shall submit the attached Declaration Form in **Document D** in the EIP duly completed and signed by an authorized person of your company together with your Expression of Interest submission.

The existing Admiralty MTR Station will be expanded to accommodate the Shatin to Central Link and South Island Line (East), forming the expanded Admiralty Station. The present public transport interchanges (PTIs) at the ground level of the existing Admiralty Station have already been heavily utilized by different

modes of transport. The demand for use of Admiralty as a transport hub to serve/transfer passengers to surrounding area, public transport terminals and boarding/alighting places is expected to be increased. The assignment shall review and assess the existing and future traffic and pedestrian conditions, and recommend short and long term improvement measures by means of a SATURN based traffic model as well as a micro-simulation model.

The scope of this assignment, which is to commence in May 2010, is indicated in the draft Brief in **Document B** in the EIP. Please note that the scope of works in this draft Brief is subject to addition, deletion and alteration. The draft Schedule of Fees is in **Document C** in the EIP.

If you are interested in this assignment, please reply to this Office before **12:00 noon** on **21 December 2009** by submitting **seven (7)** sets of documents containing the following information in a maximum of four 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 experience both in Hong Kong and elsewhere with respect to traffic engineering particularly in Traffic Engineering, Transport Modelling and Forecasting, Pedestrian Studies and Traffic Impact Studies;
- (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 team as necessary);
- (d) an indication of sub-consultants (and their respective disciplines) to be employed; and
- (e) your comments on the draft Brief and the draft Schedule of Fees.

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.

Your reply must be submitted in sealed envelopes clearly indicating **your**

company's name and the Project Reference [**Agreement No. CE 53/2009 (TT)**] and should be addressed to

Assistant Commissioner for Transport/Planning,
Transport Department
41/F, Immigration Tower,
7 Gloucester Road,
Wan Chai,
Hong Kong
(Attn.: Chief Engineer/Transport Planning)

The submission must be deposited in the Transport Department Tender Box situated at the reception counter of the Transport Department Headquarters at the same address. 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 December 2009, the deadline will be extended to 12:00 noon on the following working day.

The assessment criteria and weighting for marking the expression of interest submitted by consultants and the composition of the assessment panel are given in **Documents E and F** respectively in the EIP. The assessment panel has agreed that the past performance of sub-consultants will be assessed in the Technical and Fee Proposal Stage as well as the EOI Stage.

You are required to comply with the requirements for ISO 9001 certification included in **Document G** in the EIP, and submit all necessary documents together with your expression of interest.

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 select to make your submission in electronic format, the documents for your proposal shall be prepared and submitted in accordance with the Requirements for Submission of Proposal in Electronic Format in **Document H** in the EIP. Submissions from consultants, whether submitted in electronic format or in hard copy format, will be evaluated on equal basis.

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.

The initial list of qualified consultants approached for this Assignment is given in **Document I** in the EIP for your information. A notice of inviting EOI has also been posted on the website of this Department. Other potential consultants who meet the longlisting criteria can also submit EOI if they so wish. Based on the response received, normally four suitable firms will be shortlisted for submission of technical and fee proposals. However, you should note that Government is not bound to invite technical and fee proposals from any of those consultants expressing an interest nor is it bound to award the Agreement to any of those consultants who submit an expression of interest.

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 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 15% for unincorporated business and 16.5% for incorporated business for the year of assessment of 2008/09) of any fee payable to the consultants, whether by way of lump sum, installments 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 base 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 Agreement, 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 **Document J** in the EIP.

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 longlist given in **Document I** in the EIP. The existence of a holding-subsidiary relationship shall be determined in accordance with the provisions in Section 2(4) to (8) of the Companies Ordinance, Cap 32. "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.

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 longlist given in **Document I** in the EIP, 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.

Failure to observe this requirement shall render all related expression of interest submitted null and void and any such submission shall not be considered.

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

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.

Should you have any questions on the above, please feel free to contact Mr. W.C. CHAN at 2829 5341.