IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

Addendum

Legislation of Hong Kong

In accordance with Article IX:4 of the Agreement on Government Procurement the Committee on Government Procurement agreed at its first meeting on 15 January 1981, to invite the Parties to submit as soon as possible the complete texts of their national laws, regulations and procedures on government procurement to the secretariat where the texts would be open for inspection. In addition, the basic documents relating to the implementation of the Agreement should be submitted for information in a GATT language and would be circulated to the Committee.

With respect to these procedures, Sections IV and V of the Stores Regulations of the Hong Kong Government are hereby circulated to the Committee.*

*English only
SECTION IV

PROCUREMENT OF STORES

General

171. All stores, with the exception of those covered by Stores Regulations 212, 213 and 215, will be obtained through the Director of Government Supplies who will normally act as purchasing agent for stores procured from any source. Orders for stores will not be placed by departments direct with either the Crown Agents or local/overseas suppliers (except those authorised in S.RR. 212, 213 and 215). Any officer allowing or ordering the purchase of stores without proper authority will be held personally responsible for the amount so expended.

172-173

174. The monetary limits in subsequent Stores Regulations in this Section refer to such stores or services of a similar nature as would in normal practice be obtained by a single purchase from a single supplier. Heads of Departments should ensure that the limits are interpreted strictly, and not evaded by dividing purchases into instalments or by reducing the usual duration of contracts. The officer responsible for the procurement of stores or services must be of a suitably responsible and senior status to ensure that the correct procedure is followed in accordance with the appropriate Regulations.

175-180

Request for Purchase of Stores

181. Requests for purchase of stores should be forwarded to the Director of Government Supplies by using one of the following forms:-

(a) Indent Form (G.F. 21 and 21A)

(b) Combined Requisition and Local Purchase Orders (G.F.211/211A)

(c) Memorandum to be followed later by G.F. 21 or 211 depending on sources of supply advised by the Director of Government Supplies after award of the contract.

182. (a) An indent (G.F. 21) will be raised when the stores to be ordered are normally available only from overseas.

(b) G.F. 211/211A will be used for single purchases of stores which are obtainable locally and the value of which is estimated to cost over $500.

(c) Where the stores required are likely or known to be obtainable from both local and overseas sources, the request for purchase should be forwarded to the Director of Government Supplies in the form of a memorandum to be accompanied by a detailed specification. The vote chargeable, delivery requirements and estimated costs must be provided. Where possible, names of potential suppliers should be given.
3. (a) Memoranda, Indents or Combined Requisition and Local Purchase Orders which specify despatch of stores by air must be accompanied by a memorandum addressed to the Director of Government Supplies and signed personally by an officer not lower in status than Assistant Head of Department setting out:

(i) an estimate of the weight of the stores concerned; and

(ii) the reasons why the stores must be despatched by air.

(b) If the Director of Government Supplies is not satisfied with the reasons given for dispatch of stores by air and is unable to reach agreement with the department concerned, he will refer the matter to the Deputy Financial Secretary.

Whenever possible, a general specification should be used to enable the Director of Government Supplies to obtain competitive tenders, although the names of suitable suppliers may be specified or recommended in Combined requisition and Local Purchase Orders or Indents on the Crown Agents. Where the specification is exclusive to nominated suppliers, full details of the justification must be given to the satisfaction of the Director of Government Supplies, who may, nevertheless, at his discretion, refer the matter to the appropriate Tender Board for consideration.

Preparation of Indents on the Crown Agents

191. Officers preparing indents will be guided by the Crown Agents' printed memorandum "Notes for Indenting Officers", obtainable from the Director of Government Supplies on application, and will complete the prescribed indent forms G.FF. 21 and 21A as necessary, in quadruplicate.

192. Unless a more accurate figure is available, an addition of 20% of the estimated f.o.b. cost of the stores will be made to cover freight, insurance, inspection and Crown Agents' charges for the purpose of calculating the total cost.

193. If inspection by the Crown Agents or special packing is required, an endorsement to this effect will be made on the indent.

194. For the purpose of financial control, indents for purchase will be certified to the effect that:

(a) the stores are essential and quantities should be supplied in full despite any excess over the estimated price; or

(b) quantities should be reduced to bring the cost within the Crown Agents' discretionary allowance of £50 or 25% whichever is the greater; or

(c) a reasonable excess over the discretionary allowance may be incurred, including entire discretion in the case of items of small value; or

(d) any increase in price over the discretionary allowance should be referred back.

195. Any indent which is of such urgency as to warrant the despatch of a telegram in the event of a query arising regarding the order, will be endorsed as follows:

"This indent is of such urgency as to warrant the despatch of a cable should any query arise regarding the order."
155. Each indent prepared on G.F. 21 and 21A will be forwarded to the Director of Government Supplies under cover of G.F. 59 for onward transmission to the local Agents. The following details should be provided on the G.F. 59:

(a) Total estimated cost (S.R. 192 refers)
(b) Vote chargeable
(c) General description of materials
(d) Availability of funds

157. Any subsequent letter relating to an indent will be forwarded to the Director of Government Supplies on G.F. 304 or 311 and any telegram will be in draft form.

Local Purchase of Stores

158. (a) Local Purchase of Stores through Government Supplies Department

Requests for purchase of stores which are not held in unallocated stock by the Government Supplies Department, or for the supply of which a Government Supplies Department contract does not exist, are to be submitted to the Director of Government Supplies by means of the Combined Requisition and Local Purchase Order (G.F. 211/211A) on which the following details must be specified:

- Category of requirement (S.R. 194 refers)
- Vote chargeable and commitment record
- Authorized signature and name of department
- Estimated cost and consumption history
- Last order details
- Item number, quantity, and description of stores required (S.R. 194 refers)
- Delivery requirement/location

(b) Direct Local Purchase of Stores

Stores which are not held in unallocated stock by the Government Supplies Department, or for which a Government Supplies Department contract does not exist may be purchased locally only as provided for in S.R. 212 and 213, or as laid down in the Schedule of Authorities, listed as Appendix III to these Regulations or where otherwise authorized by the Deputy Financial Secretary.

211. Single purchases costing over $500 but not exceeding $50,000 may be made locally only through the Government Supplies Department by means of a Combined Requisition and Local Purchase Order (G.F. 211). For such purchases the Government Supplies Department will obtain quotations by private tender, subject to a minimum of five suppliers being approached and the lowest quotation to specification being accepted, except where tender procedure is dispensed with on the authority of the Director of Government Supplies or officers delegated by him.

212. Single purchases not exceeding $500 in value may be made by departments direct without authority from the Director of Government Supplies. For these purchases the Departmental Order for Supply of Stores (G.F. 219) will be used and the triplicate copy of these orders sent to the Director of Government Supplies. In handling single purchases not exceeding $500, the following should be observed:

(a) As far as possible, more than one quotation should be obtained and particulars, such as names of the suppliers approached, and details of quotations received should be recorded on file. When it is impracticable to obtain more than one quotation, a note explaining this must be placed on record and initialled by the authorizing officer.
(b) Only in exceptional circumstances should purchases be made in advance of the G.F. 219 being raised and the appropriate clearances being obtained. When this occurs, a brief explanatory note must be entered on the G.F. 219 or on file.

(c) Frequent purchases of the same article are not permitted. If a particular item is used regularly in quantities with a value in excess of $500, it must be purchased in accordance with S.R. 171.

(d) Officers who make contact with suppliers with a view to obtaining quotations should not be lower than the rank of a Supplies Supervisor Rank II or equivalent.

(e) As a rule an officer who authorizes the issue of tenders for a particular contract should not be authorized to accept tenders for that contract.

(f) All goods received against a direct local purchase order should be supported by an invoice from the supplier signed by the officer receiving the goods, or where this is impracticable by a receipt from the receiving officer; in either case the invoice or receipt will be endorsed by a senior officer.

(g) The stores controlling officer is to forward a quarterly return of direct purchases made by his department to the Director of Government Supplies giving the following information:

(i) description of each item purchased;
(ii) quantity ordered against each item;
(iii) unit cost of each item; if different prices have been paid for the same item during the quarter, details of each price should be given;
(iv) total value of orders placed for each item during the quarter; and
(v) total number of orders placed for each item during the quarter.

(h) Stores purchased against a Government Supplies Department contract should be specified on a separate quarterly return.

(i) For the purpose of exercising adequate control over direct local purchases, Heads of Departments must consider nominating an officer of at least Executive Officer Rank II level or equivalent as Departmental Authorising Officer, and a more senior rank as Controlling Officer. Where a department has a Supplies Officer or an Assistant Supplies Officer on its establishment, such officer will be considered as the Authorizing Officer.

214. Single purchases from a sole local agent or supplier up to a value of $5,000 for any single purchase may be arranged by the following nominated posts to meet urgent needs within the department where they are responsible for the supplies function, without reference to the Director of Government Supplies -
For single purchases under S.R. 215, a Departmental Order for Supply of Stores (G.F.219) will be used and the following is to be observed -

(a) the officers nominated above must personally endorse the G.F. 219 to the effect that -

(i) the purchase is made from a sole local agent or supplier following the completion of an official tender document;

(ii) the price quoted is fair and reasonable;

(iii) the requirement is for materials which are not standard unallocated stock items and are not included on an existing contract; and

(iv) such materials are available ex local stock and of such urgency as to make the placing of an oversea order impractical.

(b) for purchases with a value in excess of $500 but not exceeding $5,000, a copy of the G.F. 219 must be forwarded to the Director of Government Supplies, as soon as possible after the goods have been delivered, endorsed with the information required under paragraph (a) above and also, the date, value and order number of the last previous purchase of the same item;

(c) the above authority cannot be delegated to any other person; and

(d) the completed tenders must be endorsed with the G.F. 219 number and retained in date order for at least three years.
216. In urgent cases the Director of Government Supplies, his Deputy, the Superintendent of Government Supplies (Procurement), or the Chief Supplies Officer (Procurement) may verbally authorize departments to purchase stores costing over $500 but not exceeding $50,000 direct, with or without tender, in accordance with the above rules where applicable. In such cases a Departmental Order for Supply of Stores (G.F. 219) will be used and the reverse of the original copy endorsed by the authorizing officer before payment of the account.

217. For single purchases exceeding $50,000 in value, the procedure laid down in S.RR. 221-244 will be followed.

Provision of Services

218. Services which cannot be undertaken by Government departments or for which a Government Supplies Department contract does not exist may be obtained only as provided for below, except where otherwise authorized by the Deputy Financial Secretary:

(a) Services not exceeding $2,000 in value may be obtained by departments direct without recourse to tender, provided the rates quoted are considered reasonable and certified as such by an officer, specially delegated by the Head of Department, ordering the service in question.

(b) Services costing over $2,000 but not exceeding $50,000 may be obtained locally by the department concerned by private tender, provided that, except with the approval of an officer of a status not lower than an Assistant Head of Department, not less than five contractors normally capable of performing the required services are approached and the lowest quotation is accepted.

(c) Services exceeding $50,000 in value may be obtained by the departments concerned, but only in accordance with the tender procedure laid down in S.RR. 221-244.

219. The departmental Order for Provision of Services (G.F. 220) will be used for ordering services under the provisions of S.R. 217.
SECTION V

TENDER PROCEDURE

221. Tenders may be invited in the following ways:

(a) public tender — tender notifications will be published in the Gazette and local press, and contractors are free to submit their tenders;

(b) restricted tender — contractors are specially selected by departments and are invited to tender;

(c) single tender — only one contractor is nominated by departments and invited to submit a tender.

222. Circumstances demanding single or restricted tenders should, as far as possible, be avoided. Restricted and single tender procedures are adopted when circumstances do not permit normal competitive tender procedure, i.e.

(a) unforeseen urgencies;

(b) for reasons of security;

(c) on the grounds of compatibility of equipment;

(d) where there is evidently one, or a very limited source of supply;

(e) where "patented" or "proprietary" items are involved.

223. Single or restricted tenders may only be invited with the prior authority of the Deputy Financial Secretary or in compliance with the Schedule of Authorities in Appendix III. Tenderers should be advised to tender in accordance with S.R. 235. The closing time for the receipt of tender must be clearly indicated.

224. All tenders, whether public, restricted or single, exceeding the financial limits as laid down in S.R. 226 will be submitted to the Central Tender Board for their recommendations unless the Deputy Financial Secretary decides otherwise.

225. The Central Tender Board is constituted as follows:

Deputy Financial Secretary – Chairman
Director of Public Works or his representative
Director of Government Supplies

It normally meets on each Wednesday in the Government Secretariat; however, the Chairman may, if necessary, fix a meeting on any other week-day instead. All tenders and other communications for consideration by the Board must reach the Secretary before 5 p.m. on the day preceding the meeting.
There are also seven subsidiary Tender Boards which are authorised, under certain conditions, to deal with Government tenders. The members of these Boards, appointed by the Governor, are as follows -

(a) Government Supplies Department Tender Board
(to deal with Government Supplies tenders and tenders for departments with no tender board facilities, up to the value of $500,000)

Deputy Director of Government Supplies - Chairman
Superintendent of Government Supplies (General)
Senior Accounting Officer, G.S.D.

(b) Public Works Department Tender Board
(to deal with Public Works Department tenders up to the value of $500,000)

Principal Government Architect - Chairman
A Government Engineer (either a Government Highway Engineer or the Government Civil Engineer)
Government Quantity Surveyor

(c) Marine Department Tender Board (to deal with Marine Department tenders up to the value of $200,000)

Deputy Director of Marine - Chairman
Senior Marine Officer (Government Dockyard)
Treasury Accountant, Marine Department

(d) New Territories Services Department Tender Board
(to deal with New Territories Services Department tenders up to the value of $200,000)

Director of New Territories Services (DNTS) - Chairman
Secretary, New Territories Services
Superintendent (Hygiene) New Territories Services

(e) London Office Tender Board (to deal with London Office tenders up to the value of £25,000)

Assistant Commissioner (Commercial) London Office - Chairman
A Section Head of London Office
Secretary/Accountant, London Office

(f) New Territories Administration Tender Board (to deal with New Territories Administration tenders up to the value of $200,000)

Deputy Secretary for the New Territories - Chairman
An Administrative Officer, New Territories Administration Headquarters
A Senior Engineer, Highways Office, Public Works Department
Printing Department Tender Board (to deal with Printing Department tenders up to the value of $250,000) -

Government Printer - Chairman
Printing Superintendent Production Control (or officer of equivalent rank in his absence)
Treasury Accountant, Printing Department

227. Public Tenders may be advertised only with the approval of the Deputy Financial Secretary. A department wishing to call for public tenders will prepare a draft notification for the Gazette and forward it to the Deputy Financial Secretary, giving the reference of any Secretariat files bearing on the matter. After approval, insertion of the notification in the Gazette will be arranged by the Finance Branch.

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233. Normally the notification will appear in two issues of the Gazette. Such notification may also be advertised in the local English and Chinese Press if considered advisable by the Head of Department. In cases where it is desirable that the notification should appear in more than two issues of the Gazette, the Head of the Department should recommend accordingly. Specimen tender notifications are at Appendices IIIA and B.

234. Where a deposit is required as a guarantee of the tender's bona fides, the notification will state the amount of such deposit and specify where it is to be paid, and state that the deposit receipt must be attached to the tender.

235. Tenders, whether public, restricted or single, must be submitted in duplicate in a sealed cover. All invitations to tender should clearly indicate the form in which they are to be delivered to the appropriate Tender Box. The closing time for receipt of tenders will be noon on a Friday (or if Friday should be a holiday, then on Thursday), and should be addressed to the Chairman of the appropriate Tender Board. This also applies to Government Supplies Department tenders, except that the closing time for receipt of tenders will be 9 a.m. on five week days, i.e. Monday through Friday, public holidays excepted.

236. The Tender Box must be opened promptly at the advertised closing time. The duplicate tenders will be retained by the Secretary of the appropriate Tender Board and the originals forwarded to the department concerned for recommendation.

237. The Head of Department concerned will prepare a tender report in the standard format, as set out in Appendix IIIC, which will be submitted together with the tenders, to the Chairman of the appropriate Tender Board.

238. The department's recommendation will be considered by the appropriate Tender Board, and the Head of Department concerned (or his representative) may be requested or may himself request to attend the meeting. If there should be any difference in opinion between members of the Central Tender Board as to the award of the contract, the Chairman will submit the matter to the Financial Secretary for a decision. If there should be any difference in opinion between members of a subsidiary Tender Board, the Chairman will submit the matter to the Central Tender Board for a decision.
239. The department will be notified of approval to award the tender by a memorandum, accompanied by the originals and duplicates of all tenders. A copy of the memorandum will be sent to the Director of Accounting Services and Director of Audit. Unsuccessful tenderers should receive back their deposit receipts if any, endorsed to the effect that a refund will be made. The unsuccessful tenders will be retained for 3 months after the date the contract documents are forwarded to the Director of Accounting Services and the Director of Audit under S.R. 242(a) and then destroyed.

240. The head of department concerned will then take steps to complete the contract by causing the security deposit, if any, to be paid to the Treasury, and the contract agreement form, with conditions, to be signed by the contractor, after which the tender deposit will be refunded. The Head of Department will sign for Government unless he has been authorized by the Deputy Financial Secretary to delegate this duty to a subordinate Officer. The security deposit, if any, will not be refunded until the contract has been satisfactorily completed.

241. In the event of a Bank Guarantee being accepted in lieu of Cash Deposit as due for faithful performance of the contract, and if the contractual period is subsequently extended, the Bank Guarantee must also be extended to cover the extent of the contract.

242. In addition to copies for departmental use, copies of the contract documents shall be prepared and distributed as follows:

(a) Supplies Contracts/Agreements

Copies of the contract will be supplied to the Director of Accounting Services and the Director of Audit. The completed contract, consisting of the contract agreement form and the original tender will be passed to the Treasury through the Audit Department for examination. The original of the contract agreement will eventually be retained by the Director of Accounting Services.

(b) Maintenance/Service Agreements

Originals of the maintenance/service agreement are to be retained in the Departmental Headquarters for audit purposes. A photostat copy of each agreement should be sent to Treasury.

(c) Surety Bonds & Insurance Policies (Workmen's Compensation, Public Liability etc.)

(i) Where Government is not a party to the bond or policy

These documents normally relate to a particular contract and where only one copy is available it should be attached to the original of the contract and forwarded to Treasury for safe custody. Extra copies are not required by the Treasury or Audit.

(ii) Where Government is a party to the bond or policy

The originals and copies be passed to the Treasury and Audit attached the originals and copies of the contract documents.

243. All communications regarding tenders, from the time tenders are called for until the award of the contract has been approved, must be classified as Restricted (Tender).

244. Any variations to the conditions specified in contracts, orders and indents must be referred to the appropriate authority as shown in Appendix III.
## APPENDIX III

**SCHEDULE OF AUTHORITIES FOR THE ISSUE OF GOVERNMENT SUPPLIES**

**DEPARTMENT TENDERS, AUTHORIZATION OF INDENTS ON THE CROWN AGENTS AND ACCEPTANCE OF OFFERS**

### CATEGORY OF PURCHASE

<table>
<thead>
<tr>
<th>LINE</th>
<th>CATEGORY</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>A-Issue of either a public tender or a minimum of five tenders to approved local suppliers and in either case the Crown Agents may also be requested to tender</td>
<td>S.S.II</td>
<td>A.S.O.</td>
<td>S.O.</td>
<td>S.O.</td>
<td>S.O.</td>
</tr>
<tr>
<td>2.</td>
<td>(i) Acceptance of the lowest or lower offer</td>
<td>S.S. I</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
<tr>
<td>3.</td>
<td>(ii) Acceptance of the only offer to specification or other than the lowest or lower offer to specification</td>
<td>A.S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
<tr>
<td>4.</td>
<td>B-Approval of an open indent on the Crown agents only</td>
<td>A.S.O.</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
</tr>
<tr>
<td>5.</td>
<td>C-Issue of a minimum of two, but less than a total of five restricted tenders to approved local and/or Crown Agents suppliers</td>
<td>A.S.O.</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
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<tr>
<td>6.</td>
<td>(i) Acceptance of the lowest or lower offer</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
<tr>
<td>7.</td>
<td>(ii) Acceptance of the only offer to specification or other than the lowest or lower offer to specification</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
<tr>
<td>8.</td>
<td>D-Issue of a single tender to a nominated approved local supplier</td>
<td>A.S.O.</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
</tr>
<tr>
<td>9.</td>
<td>(i) Acceptance of an only local offer</td>
<td>S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
<tr>
<td>10.</td>
<td>E-Approval of an indent on the Crown Agents specifying a single nominated supplier</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
</tr>
<tr>
<td>11.</td>
<td>F-Issue of a tender or tenders to a firm or firms which are not included in the list of approved local suppliers:</td>
<td>S.O.</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
</tr>
<tr>
<td>12.</td>
<td>(i) More than one</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>D.B.G.S.</td>
<td>S.T.B.</td>
</tr>
<tr>
<td>13.</td>
<td>(ii) Only one</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>(iii) Acceptance of the lowest or lower offer</td>
<td>S.S.O.</td>
<td>C.S.O.</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
<tr>
<td>15.</td>
<td>(iv) Acceptance of the only offer to specification or the only offer</td>
<td>S.O.</td>
<td>S.G.S.(P)</td>
<td>S.G.S.(P)</td>
<td>S.T.B.</td>
<td>C.T.B.</td>
</tr>
</tbody>
</table>

**Note:** It is discretionary whether any of the above items are referred to the Central Tender Board.
| SCHEDULE OF AUTHORITIES FOR THE VARIATION OF GOVERNMENT SUPPLIES DEPARTMENT CONTRACTS |
|-----------------------------------|----------------------------------|------------------|
| **CATEGORY OF VARIATION**         | **C**                             | **D**             | **E**             |
| **C-CONTRACTS AWARDED BY G.S.D. OFFICERS** |                                  |                  |                  |
| 16.                               | (1) Up to 20% of the original value of the contract, provided all the relative factors, including rates, remain the same and the total revised value does not exceed $50,000 | S.S.O.           |                  |
| 17.                               | (11) Over 20% of the original value of the contract, provided all the relative factors, including rates, remain the same and the total revised value does not exceed $50,000 | C.S.O.           |                  |
| 18.                               | (III) Any variation which increases the total revised value of the contract beyond $50,000 but not exceeding $500,000 | S.T.B.           |                  |
| **C-CONTRACTS AWARDED BY THE G.S.D. TENDER BOARD** |                                  |                  |                  |
| 19.                               | (1) Up to 20% of the original value of the contract, provided all the relative factors, including rates, remain the same | C.S.O.           | S.G.S.(P)        | S.T.B.             |
| 20.                               | (11) Over 20% of the original value of the contract, provided all the relative factors, including rates, remain the same | C.S.O.           | S.G.S.(P)        | S.T.B.             |
| 21.                               | (III) Any other variations        | S.T.B.           | C.T.B.           | C.T.B.             |
| **C-CONTRACTS AWARDED BY THE CENTRAL TENDER BOARD** |                                  |                  |                  |
| 22.                               | (1) Up to 20% of the original value of the contract, provided all the relative factors including rates, remain the same | S.G.S.(P)        | S.T.B.           | C.T.B.             |
| 23.                               | (11) Any other variations         | S.T.B.           | C.T.B.           | C.T.B.             |
| **EXTENSION OF PERIOD OF CONTRACT** |                                  |                  |                  |
| Extension of period only, all the other relative factors, including rates, being the rule for a cumulative total period of the extensions not exceeding twelve months | S.O.               |                  |                  |
| 24.                               | (1) Contracts awarded by Government Supplies Department Officers | S.O.             |                  |                  |
| 25.                               | (11) Contracts awarded by the Government Supplies Department Tender Board | S.S.O.           |                  |                  |
| 26.                               | (III) Contracts awarded by the Central Tender Board | C.S.O.           |                  |                  |

**Note:** It is discretionary whether any of the above items are referred to the Central Tender Board.
### SCHEDULE OF AUTHORITIES FOR THE VARIATION OF SERVICE CONTRACTS AWARDED BY DEPARTMENTS WITH NO TENDER BOARD FACILITIES

<table>
<thead>
<tr>
<th>LINE</th>
<th>CATEGORY OF VARIATION</th>
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<tr>
<td>27</td>
<td><strong>M - SERVICE CONTRACTS AWARDED BY DEPARTMENTS WITH NO TENDER BOARD FACILITIES</strong></td>
</tr>
<tr>
<td>27</td>
<td>(i) Any variation which does not increase the total revised value of the contract beyond $50,000, provided all the relative factors, including rates, remain the same ...............</td>
</tr>
<tr>
<td>28</td>
<td>(ii) Any variation which increases the total revised value of the contract beyond $50,000 but not exceeding $500,000, provided all the relative factors, including rates, remain the same ...............</td>
</tr>
<tr>
<td>29</td>
<td>(iii) Any other variations ...........</td>
</tr>
</tbody>
</table>

### SCHEDULE OF AUTHORITIES FOR THE VARIATION OF CONTRACTS AWARDED BY SUBSIDIARY TENDER BOARDS OTHER THAN THE G.S.D. AND P.W.D. TENDER BOARDS

<table>
<thead>
<tr>
<th>LINE</th>
<th>CATEGORY OF VARIATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td><strong>N - CONTRACT AWARDED BY SUBSIDIARY TENDER BOARDS</strong></td>
</tr>
<tr>
<td>30</td>
<td>(i) Any variation which does not increase the total revised value of the contract beyond the limit of the subsidiary Tender Board, provided all the relative factors, including rates, remain the same ...........</td>
</tr>
<tr>
<td></td>
<td>(ii) Any other variations ...........</td>
</tr>
</tbody>
</table>
### Schedule of Authorities for the Variation of PWD Contracts

<table>
<thead>
<tr>
<th>31</th>
<th>O - PUBLIC WORKS CONTRACTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i) Up to 10% of the original value of the contract</td>
<td>DPW</td>
</tr>
<tr>
<td></td>
<td>(ii) Up to a further 10% of the original value to the contract</td>
<td>PAFS(1)</td>
</tr>
<tr>
<td></td>
<td>(iii) Exceeding 20% of the original value of the contract</td>
<td>AFS(E)</td>
</tr>
<tr>
<td></td>
<td>(iv) Extension of period of term contracts only, all other relative factors, including rates, being the same for a cumulative total period of the extensions not exceeding 12 months, and the total revised value of the contract not exceeding the limit of the Subsidiary Tender Board.</td>
<td>DFS</td>
</tr>
<tr>
<td></td>
<td>(v) Any other variations</td>
<td>Chairman, PWD STB</td>
</tr>
<tr>
<td></td>
<td></td>
<td>CTB</td>
</tr>
</tbody>
</table>
APPENDIX IIIA

SPECIMEN TENDER GAZETTE NOTIFICATION

In triplicate where one copy is returned to the successful tenderer and constitutes a formal notification of acceptance of contract.

If Friday is a holiday state “Monday”

This sum should be sufficient to prevent irresponsible tenders but within the resources of a small concern. It can be omitted where departments maintain approved lists of contractors (use form at Appendix IIIB).

Where security deposits are required from successful tenderers for due observance of the contract this should be stated in the tender documents and not in this notice.

This part of the clause should only be inserted when the tender documents

It is hereby notified that sealed tenders in duplicate are invited for the supply of construction

Tenders must be clearly marked accordingly on the outside envelope, addressed to the Secretary, Central Tender Board, and placed in the Tender Box labelled as the "Secretariat Tender Box" situated in the entrance hall of the Government Secretariat, Central Government Offices (Main Wing), Lower Albert Road, Hong Kong, before 12 noon on Friday, Late tenders will not be accepted.

Tenderers must attach to each tender a receipt showing that they have deposited either at the Treasury Revenue Branch, Central Government Offices (West Wing), 1st floor, Ice House Street, Hong Kong, at the Causeway Bay Sub-Treasury, Causeway Bay Magistracy Building, 2nd floor, Electric Road, Hong Kong, or at the Kowloon Sub-Treasury, 35, Argyle Street, Kowloon, the sum of $ as a pledge of the bona fides of their tenders, which sum shall be forfeited to the Government if any tenderer fails or refuses to implement an accepted tender. The deposits will be returned to unsuccessful tenderers.

Forms of tender and further particulars may be obtained from the office of the (here state official title and full address of officer dealing with the contract) (On payment of $ to cover the cost of the tender documents. This payment will not be returned.
The Government does not bind itself to accept the lowest or any tender, and reserves the right to accept all or any part of any tender.

(Head of Department)

(Cont'd)

Include plans etc., the cost of which exceeds £100. Insert "highest" if a "revenue" contract.
In triplicate where one copy is returned to the successful tenderer and constitutes a formal notification of acceptance of contract.

If Friday is a holiday, state "Thursday".

This part of the clause should be inserted when the tender documents include plans etc. the cost of which exceeds $100 and which on being returned by tenderers are of no further use.

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Appendix IIIB

General Tender Gazette Notification

Where contractors are limited under general Secretariat authority to those on departmental approved lists

............... Department

It is hereby notified that sealed tenders in duplicate are invited for the (purchase) (supply) (construction) of ..................................................

............... ........................................

Tenders must be clearly marked accordingly on the outside envelope, addressed to the Secretary, Central Tender Board, and placed in the Tender Box labelled as the "Secretariat Tender Box" situated in the entrance hall of the Government Secretariat, Central Government Offices (Main Wing), Lower Albert Road, Hong Kong, before 12 noon on Friday, ......... (date) Late tenders will not be accepted.

Forms of tender, specifications, and further particulars may be obtained from the office of the .................

(Here state official title and full address of officer dealing with the contract)

(on payment of $ ........ to cover the cost of the tender documents. This payment will not be returned.

Only contractors on the .................

(Here insert name of department and branch if relevant)

list of approved contractors in Group(s) ........

............... for ........................

Works will be permitted to tender.
APPENDIX IIIB

(Cont'd.)

Where security deposits are required from successful tenderers for due observance of the contract this should be stated in the tender documents and not in this notice.

Contractors will be liable to have their names removed from the list of approved contractors if they fail or refuse to implement an accepted tender or having obtained forms of tender fail to submit a bona fide tender.

The Government does not bind itself to accept the lowest or any tender, and reserves the right to accept all or any part of any tender.

..................................................
(Head of Department)

..................................(Date)
APPENDIX IIIIC

Tender Report Format

A. Authority

authority to call for tender and whether public, restricted or single tender. If restricted or single, authority and summary of reasons.

B. Dates

(i) date of invitation to tender
   (i.e. of gazette notification, or of letter inviting restricted or single tender)

(ii) closing date of tender

(iii) date of expiry of validity of each tender

(iv) if there is a patent — expiry date of patent

(v) reasons for any delay in making recommendations

C. Details of Tenders

(i) number of invitations issued and number of tenders received, with tenders from Crown Agents as a sub-total

(ii) an analysis of the tenders in the form of a comparative statement showing the country of origin of the goods or services, rates quoted for each item by the respective tenderers in order of the rates tendered, starting with the lowest if a purchase and the highest if a sale. This may be in the form of an enclosure if appropriate
D. Recommendation

(i) recommendation on tender to be accepted.

(ii) detailed reasons for not recommending acceptance of the lowest (highest if applicable) tender

(iii) Confirmation that the tender recommended for acceptance complies with the tender terms, conditions and specifications. If the recommended tender does not so comply, the report must state where the tender fails to comply and give full reasons in support of the acceptance of the tender recommended.

F. Availability of funds

(i) whether the approved estimate, or the sum allowed within the approved estimate, for the project is greater or less than the tender recommended for acceptance

(ii) the head and subhead of expenditure from which the cost is to be met

(iii) a certificate that funds are available.
### APPENDIX IID

**SCHEDULE OF AUTHORITIES DELEGATED TO THE SUBSIDARY TENDER BOARDS**

<table>
<thead>
<tr>
<th>TITLE</th>
<th>AUTHORITY TO DEAL WITH TENDERS FOR</th>
<th>UP TO THE MAXIMUM CONTRACT VALUE OF</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Government Supplies Department Tender Board</td>
<td>(i) Government Supplies Department</td>
<td>$500,000</td>
</tr>
<tr>
<td></td>
<td>(ii) All departments with no tender board facilities</td>
<td>$500,000</td>
</tr>
<tr>
<td>(b) Public Works Department Tender Board</td>
<td>Works tenders for all departments</td>
<td>$500,000</td>
</tr>
<tr>
<td>(c) Marine Department Tender Board</td>
<td>Marine Department</td>
<td>$200,000</td>
</tr>
<tr>
<td>(d) Urban Services Department Tender Board</td>
<td>Urban Services Department</td>
<td>$200,000</td>
</tr>
<tr>
<td>(e) London Office Tender Board</td>
<td>London Office</td>
<td>£25,000</td>
</tr>
<tr>
<td>(f) New Territories Administration Tender Board</td>
<td>New Territories Administration</td>
<td>$200,000</td>
</tr>
<tr>
<td>(g) Printing Department Tender Board</td>
<td>Printing Department</td>
<td>$250,000</td>
</tr>
</tbody>
</table>

**N.B.** Any tenders exceeding the above maximum contract values will be referred to the Central Tender Board.