

It is hereby notified that sealed tenders in duplicate are invited for **Contract No. SS L509–Construction of New Territories East Cultural Centre in Area 11, Fanling (Programme No. 065RE)**.

The works include the construction of the New Territories East Cultural Centre in Area 11, Fanling comprising the demolition of two existing 4-storey buildings, the construction of a cultural centre comprising an auditorium of 1 400 seats, a theatre of 700 seats, a multi-purpose studio of 180 seats, a children theatre, two rehearsal rooms, two incubators, a restaurant and a coffee shop, a foyer with exhibition space and ancillary facilities including offices, toilets, dressing rooms, baby care rooms, store rooms, loading/unloading area and basement carpark spaces, together with building services installations, drainage and external works. The construction floor area is approximately 66 975 square metres and the site area is approximately 17 740 square metres. The contract is scheduled to commence in July 2022 and for completion in December 2026.

Tenders must be clearly marked with the tender reference and the subject of the tender on the outside of the envelope (but should not bear any indication which may relate the tender to the tenderer), addressed to the Chairman, Central Tender Board, and placed in the Government Secretariat Tender Box situated in the lobby of the Public Entrance on the Ground Floor, East Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong before 12.00 noon on Friday, 18 March 2022. Tenders must be deposited in the tender box as specified in this tender notice ('Specified Tender Box') before the tender closing time. Late tenders or tenders not deposited in the Specified Tender Box will not be accepted.

If tropical cyclone warning signal No. 8 or above is hoisted, or a black rainstorm warning signal or 'extreme conditions after super typhoons' announced by the Government is/are in force at any time between 9.00 a.m. and 12.00 noon on Friday, 18 March 2022, the tender closing time will be postponed to 12.00 noon on the first working day after the tropical cyclone warning signal No. 8 is lowered, or the black rainstorm warning signal or the 'extreme conditions after super typhoons' announced by the Government has/have ceased to be in force. In case of blockage of the public access to the location of the Specified Tender Box at any time between 9.00 a.m. and 12.00 noon on Friday, 18 March 2022, the Government will announce extension of the tender closing time until further notice. Following removal of the blockage, the Government will announce the extended tender closing time as soon as practicable. The above announcements will be made *via* press releases on the website of Information Services Department (<http://www.info.gov.hk/gia/general/today.htm>).

Forms of tenders and further particulars can be downloaded from Internet at:—

<https://www.gov.hk/en/theme/etendering/ets/>

For enquiry, please contact Mr. S. H. YIP, Project Manager 369 (Telephone No.: 2867 3961; Fax No.: 2596 0356; Email Address: [yipsh@archsd.gov.hk](mailto:yipsh@archsd.gov.hk)).

Selective tendering is adopted. Confirmed Contractors on the List of Approved Contractors for Public Works in Group C for Buildings Category or joint ventures with participation of local and/or overseas contractors with one of the members being on the above-mentioned approved list/category/group who also meet the following qualifications and other conditions for participation stipulated in the tender documents are invited to tender:—

- (1) the tenderer or at least one participant/shareholder in a joint venture tenderer is a confirmed contractor on the List of Approved Contractors for Public Works in Group C for Buildings Category;
- (2) the tenderer must have completed at least one building contract, in or outside Hong Kong of contract value not less than HK\$700 million (adjusted to current price) with building services installations (including plumbing and drainage) of contract value not less than HK\$150 million (adjusted to current price) within the past 10 years counting from and including the original date set for the close of tender (i.e. between 19 March 2012 and 18 March 2022). Only such contracts with substantial completion date falling within the above stated period will be considered; and
- (3) the tenderer or in case of a joint venture, all participants/shareholders in a joint venture tenderer must have less than 5% performance reports rated as adverse based on the tenderer's past performance reports kept by Development Bureau (DEVB's record) in the 5-year period, which ends on the last Quarter End Date before the date being 2 months

counting back from but exclusive of the original date set for the close of tender or, if this has been extended, the extended date (there are four Quarter End Dates in a year, namely the last day of February, May, August and November).

In the case of a joint venture tenderer, the lead participant/major shareholder must be either:—

- (1) a confirmed Group C contractor in the List of Approved Contractors for Public Works under Buildings Category; or
- (2) a contractor who is not enlisted in any service category under:—
  - (i) the List of Approved Contractors for Public Works; and
  - (ii) the List of Approved Suppliers of Materials and Specialist Contractors for Public Works.

In this case,

- (a) the total percentage participation of participant(s) or shareholder(s) who is/are confirmed Group C contractor(s) included in the List of Approved Contractors for Public Works under the Buildings Category is at least 40%; and
- (b) the percentage participation of the lead participant or major shareholder is no more than 60%.

The detailed requirements on the tenderer's qualifications and those for joint ventures with participation of local and/or overseas contractors, if applicable, are stipulated in the tender documents.

Contractors not yet on the above-mentioned approved list/category/group may also submit a tender if they submit a request for participation together with a duly completed application for inclusion in the above-mentioned approved list/category/group by 22 February 2022 to Chief Quantity Surveyor/3 of Architectural Services Department, at 5th Floor, Main Block, APB Centre, No. 9 Sung Ping Street, Hung Hom, Kowloon, meet the qualifications and conditions for participation, and the application for inclusion is duly approved on or before the tender closing date. Details for making the application are available at:—

[http://www.devb.gov.hk/en/construction\\_sector\\_matters/contractors/index.html](http://www.devb.gov.hk/en/construction_sector_matters/contractors/index.html)

Contractors will be liable to have their names removed from the approved list(s) if they fail or refuse to implement an accepted tender.

This tender is covered by the Agreement on Government Procurement of the World Trade Organization and will not involve electronic auction. This notice also serves as a summary notice required under the Agreement on Government Procurement of the World Trade Organization.

The Government of the Hong Kong Special Administrative Region does not bind itself to accept any tender irrespective of whether the tender is the lowest bid or, where the assessment of the tenders is based on a marking scheme or formula approach, the tender with the highest overall score.

The Government of the Hong Kong Special Administrative Region reserves the right to negotiate with any tenderer about the terms of the offer.

Details of the award of this contract will be published on the Internet at (<https://pcms2.gld.gov.hk/iprod/#/scn00101>).

28 January 2022

HO Wing-yin, Winnie *Director of Architectural Services*