Press Releases

Development Bureau invites industry to submit applications for inclusion in "pre-qualified lists" of building maintenance consultants and contractors

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The Development Bureau (DEVB) announced today (September 29) that the application for the three "pre-qualified lists" of consultants and contractors under the new support service for building maintenance works will be open starting from tomorrow (September 30) for four weeks until October 27.

The Secretary for Development, Ms Bernadette Linn, said, "The DEVB, together with the Urban Renewal Authority (URA) and relevant departments and agencies, will process the applications at full steam. Our goal is to have the 'pre-qualified lists' available progressively by the end of this year and to begin tendering projects for property owners in the first quarter of next year. In future, only consultants and contractors that are on the 'pre-qualified lists' will be eligible to submit tenders for projects under the new support service. I appeal to dedicated and capable consultants and contractors in the industry to apply as soon as possible. Together with other enhanced services in future, such as tender invitation and evaluation services for property owners, we aim to establish a professional and clean maintenance team to work with the Government to provide property owners with high-quality and reliable services, as well as to foster healthy development of the industry."

The DEVB announced and briefed the Legislative Council's Panel on Development on September 22 regarding the compilation of the three "pre-qualified lists", which cover Inspection Consultants; Supervision Consultants that will draft tender documents and supervise building maintenance works; and Building Works Contractors responsible for construction, as well as introduced the four areas of pre-qualification criteria (technical competence, integrity, financial capacity, and past performance), the biennial review mechanism and the arrangements for removal and suspension of the pre-qualification status. Details are set out in the Annex. These arrangements have taken into account the views of various stakeholders, including the industry, striving to be both rigorous and pragmatic.

The URA will at the current stage assist the DEVB in processing the applications for inclusion in the "pre-qualified lists", including co-ordinating with relevant departments and professional bodies to assist in verifying the submitted information. For the application details for the "pre-qualified lists", please visit the dedicated website at pq.ura.org.hk/en. Interested consultants and contractors may submit applications via the online platform on the website starting from tomorrow. For enquiries, please send an email to pqenquiry@ura.org.hk or call 2588 2929 during office hours (Monday to Friday from 9am to 5.30pm).

In response to industry feedback, the application period has been slightly extended beyond the original plan until October 27 to allow the industry to have more time to submit applications. The DEVB, together with the URA, will soon meet again with the professional institutes and trade associations to introduce the criteria for the "pre-qualified lists" and arrangements for completing the application forms.

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Issued at HKT 18:45

Annex

The New Support Service for Building Maintenance Works
Criteria for the Pre-qualified Lists of
Consultants and Contractors

The Government aims to implement the new support service for building maintenance works for property owners by end of the year, with the specific objective to have more rigorously vetted pre-qualified lists of consultants and contractors available progressively by end this year, and to begin tendering projects for property owners in the first quarter of next year. In future, only consultants and contactors that are on the pre-qualified lists will be eligible to submit tenders for projects under the new support service. To avoid conflicts of interest, the functions of building inspection and works supervision will be separated and assigned to different professionals. We will establish three pre-qualified lists, namely (i) Inspection Consultants; (ii) Supervision Consultants that will draft tender documents and supervise building maintenance works; and (iii) Building Works Contractors responsible for construction, with a view to encouraging companies that possess professional competence and integrity in the industry to join the maintenance market. Together with other enhanced measures, such as tender invitation and evaluation services for property owners, we aim to establish a professional and clean maintenance team that can provide property owners with high-quality and reliable services, as well as foster healthy development of the industry.

2. The pre-qualification mechanism consists of the following key elements:

(a) The pre-qualification criteria cover four areas, namely technical competence, integrity, financial capacity and past performance, which specify the requirements for professionals of a company responsible for discharging the duties under the Buildings Ordinance with the aim of preventing practices such as "nominal employment" or situation where a company only subcontracts and does not perform the work itself. Emphasis is placed on integrity, including the requirement to pass background checks conducted by law enforcement agencies, and on enhancing quality, including establishing a system to periodically review the project performance of consultants and contractors, which will serve as one of the factors when considering whether they can remain on the pre-qualified lists in future.

(b) The pre-qualification criteria only represent the minimum threshold for inclusion on the pre-qualified lists. Additional requirements for consultants or contractors in areas such as technical competence and financial capacity for a specific tender project will be separately set out in future tender documents, having regard to the scale and complexity of that building maintenance project.

(c) The pre-qualified lists are subject to a comprehensive review every two years. Consultants and contractors must re-submit their application details for verification by the Authority to ensure their continued eligibility for inclusion on the pre-qualified lists. Conviction for an integrity-related offence within the two-year period will result in immediate removal from the lists, while the Authority can decide to suspend the pre-qualification status in case of poor project performance or involvement in major site safety incident.

(d) If an applicant is dissatisfied with the decision regarding his pre-qualification status, he may request a review. The decision of the reviewing authority shall be final.

3. The pre-qualification criteria are detailed as follows:

(1) Technical Competence

- **Inspection Consultants:**

✧ At least one of the Key Personnel [1] or Designated Employees [2] holds the qualification of a Registered Inspector (RI) under the Buildings Ordinance

✧ Past project experience must meet one of the following requirements:

(i) The company has completed at least three prescribed inspection projects involving the common areas of a building under the "Mandatory Building Inspection Scheme" (MBIS) within the past five years; or

(ii) A Key Personnel[1] or a Designated Employee[2] of the company has completed at least three prescribed inspection projects involving the common areas of a building under MBIS within the past five years; or

(iii) The company is listed under the Architectural / Building Services / Building Surveying / Structural Engineering category on the Architectural Services

[1] Key Personnel refer to the company's sole proprietor, partner or director who personally discharges the statutory duties under the Buildings Ordinance with respect to the building maintenance projects under the new support service.

[2] Designated Employees refer to (i) full-time employees who have entered into an employment contract with the company for a minimum term of one year and work at least 40 hours per week as specified in the contract; and (ii) individuals who personally discharge the statutory duties under the Buildings Ordinance with respect to the building maintenance projects under the new support service.

Department's "Lists of Consultants of the Architectural and Associated Consultants Selection Board (AACSB)"

✧ The company has obtained (or has committed to obtaining within 12 months after submitting the application) ISO 9001 quality management system certification[3]

- **Supervision Consultants**：

✧ At least one of the Key Personnel[1] or Designated Employees[2] holds the qualification of both an Authorised Person (AP) and a RI under the Buildings Ordinance

✧ The company must have at least two additional full-time employees[4] who respectively possess the minimum qualifications and experience required for RI's Level 1[5] and Level 2[6] representatives

✧ Past project experience must meet one of the following requirements:

(i) Within the past five years, the company has had an AP and/or a RI that completed :
- at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three alteration and addition (A&A) works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
- one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK$2 million and involving the common areas of a building; or
- one new building project; or

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3 The company will not be allowed to participate in project tendering under the new support service before obtaining the ISO 9001 quality management system certification, even if it has been included on the pre-qualified lists.

4 Full-time employees refer to company employees who have entered into a contract of employment with the company for a minimum term of one year and work at least 40 hours per week as specified in the contract.

5 The minimum qualifications and experience required for a Level 1 representative are equivalent to those of a technically competent person (TCP) for grade T1 for Building Works or Class I Minor Works, as stipulated in the Code of Practice for Site Supervision issued by the Buildings Department.

6 The minimum qualifications and experience required for a Level 2 representative are equivalent to: (i) the TCP of grade T3 for Building Works or Class I Minor Works, as stipulated in the Code of Practice for Site Supervision issued by the Buildings Department; or (ii) passed specified top-up course with minimum total relevant working experience of five years.

(ii) Within the past five years, a Key Personnel[1] or a Designated Employee[2] of the company has, in the capacity of an AP and/or a RI, completed:
- at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three A&A works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
- one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK$2 million and involving the common areas of a building; or
- one new building project; or

(iii) The company is listed under the Architectural / Building Services / Building Surveying / Structural Engineering category on the Architectural Services Department's "Lists of Consultants of the AACSB"

✧ The company has obtained (or has committed to obtaining within 12 months after submitting the application) ISO 9001 quality management system certification[3]

- **Building Works Contractors:**

✧ The company must be a Registered General Building Contractor (RGBC) or a relevant Registered Minor Works Contractor (RMWC)[7] (Class I) under the Buildings Ordinance

✧ The authorised signatory must be either a Key Personnel[1] or a Designated Employee[2] of the company

✧ Past project experience must meet one of the following requirements:

(i) Within the past five years, the company, as a RGBC or a relevant RMWC (Class I), has completed:
- at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three A&A works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
- one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK$2 million

[7] The relevant RMWC refers to a contractor who is registered for Class I minor works of Types A and B.

and involving the common areas of a building; or
- one new building project; or

(ii) Within the past five years, a Key Personnel[1] or a Designated Employee[2] of the company has, in the capacity of an authorised signatory of a RGBC or a relevant RMWC (Class I), completed:
- at least three (a) prescribed repair works projects involving the common areas of a building under MBIS; or (b) at least three A&A works projects involving the common areas of a building with a building plan approved by the Buildings Department; or at least three projects falling under both (a) and (b) above; or
- one building maintenance project not covered by MBIS (such as school or hospital projects), with a works contract value of not less than HK$2 million and involving the common areas of a building; or
- one new building project; or

(iii) The company is listed in any group under the "Buildings" category of the Development Bureau's "Lists of Public Works Contractors"

✧ The company has obtained (or has committed to obtaining within 12 months after submitting the application) ISO 9001 quality management system certification[3]

(2) Integrity

- The company and its Key Personnel[8], Designated Employees[2] and Significant Controllers[9] must meet the integrity requirements, including but not limited to the following:

  ✧ The company and the related personnel have not been convicted of integrity-related offences[10] in the past three years;
  ✧ The company and the related personnel are not currently being prosecuted[11] for

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8 Key Personnel refer to the company's sole proprietor, all partners, or all directors.

9 The person holds directly or indirectly more than 25% of the issued shares of the company. Alternatively, if the company has no share capital, the person holds directly or indirectly the right to a share of more than 25% of the company's capital or profits.

10 Integrity-related offences include, but not limited to, those prescribed under the Prevention of Bribery Ordinance (Cap. 201), the Independent Commission Against Corruption Ordinance (Cap. 204), the Competition Ordinance (Cap. 619) and provisions of the Crimes Ordinance (Cap. 200) concerning false instrument and forgery.

11 Prosecution refers to cases in which charges have been laid by law enforcement agencies or a court summons has been issued.

integrity-related offences;

- ✧ Have passed background checks conducted by the Police and the Independent Commission Against Corruption; and
- ✧ The company has joined (or has committed to joining within 12 months after submitting the application) the Construction Industry Integrity Charter 2.0[12].

(3) Financial Capacity

- The company is not currently in bankruptcy or liquidation, nor facing bankruptcy or liquidation proceedings

- Inspection Consultants / Supervision Consultants: No minimum capital requirement

- Building Works Contractors: Working capital and employed capital must each be at least HK$200,000[13]

(4) Past Performance

- Within the past year, the company and its Key Personnel[1] and Designated Employees[2] **must not** have the following situations:

  - ✧ Have had their professional or contractor registration, or relevant statutory qualification suspended or revoked;
  - ✧ Have been convicted four or more[14] offences related to site safety[15];
  - ✧ Have been convicted three or more[14] employment-related offences[16];
  - ✧ Have been convicted three or more[14] offences related to the employment of illegal workers[17];

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[12] The company will not be allowed to participate in project tendering under the new support service before joining the Construction Industry Integrity Charter 2.0, even if it has been included on the pre-qualified lists.

[13] This is equivalent to the registration requirements set by the Construction Industry Council for Building Maintenance category (Group 1) under the Registered Specialist Trade Contractors Scheme.

[14] The number of relevant convictions will be counted in accordance with the method set out in the "Contractor Management Handbook" as promulgated by the Development Bureau.

[15] Offences related to site safety refer to the offences specified in the following ordinances and their subsidiary legislation:
(i) Factories and Industrial Undertakings Ordinance (Cap. 59); and
(ii) Occupational Safety and Health Ordinance (Cap 509).

[16] Employment-related offences refer to offences specified under the Employment Ordinance (Cap. 57).

[17] Offences relating to the employment of illegal workers refer to offences specified under sections 17I,

- ✧ Have been convicted of violating relevant regulations [18] of the Buildings Department, Fire Services Department, or Electrical and Mechanical Services Department; or
- ✧ Have been subject to disciplinary action by the Buildings Department, Electrical and Mechanical Services Department, the registration authorities for architects / surveyors / engineers, and / or the relevant professional institutes

- In future, periodic ratings from the project performance assessment for consultants and contractors, as well as owners' feedback will also be taken into account under this criterion

Removal Mechanism

4. The prequalified lists are subject to a comprehensive review every two years. During the two-year period, if any of the following circumstances arise with respect to a company on the pre-qualified lists or its Key Personnel[8], Designated Employee[2] or Significant Controller[9], the company concerned will be removed from the pre-qualified lists:

(i) conviction for an integrity-related offence;

(ii) submission of a false statement when applying for inclusion on the pre-qualified lists or participating in a tender; or

(iii) revocation of the professional or contractor registration, or relevant statutory qualification.

5. If the company concerned subsequently meets all the requirements for inclusion on the pre-qualified lists again, it may re-submit an application.

Mechanism for Suspension of Pre-qualification Status

6. During the two-year period, if any of the following circumstances arise with respect to a company on the pre-qualified lists or its Key Personnel[8], Designated Employee[2] or Significant Controller[9], the company's pre-qualification status may be suspended and it shall be barred from participating in any tendering:

38A(4) and 41 of the Immigration Ordinance (Cap. 115).

[18] This refers to violation of sections 40(2A), 40(2AD), 40(2AE), 40(2AF) and 40(2B) of the Buildings Ordinance (Cap. 123), section 9(3)(b) of the Fire Service (Installations and Equipment) Regulations (Cap. 95B) or offences specified under the Lifts and Escalators Ordinance (Cap. 618), for which the maximum fine is set at Level 5 or above.

(i) currently being prosecuted for an integrity-related offence;

(ii) involvement in major site safety incident (such as fatal accident);

(iii) poor performance in executing a project[19]; or

(iv) doubts regarding the ability of the company or relevant personnel to properly discharge their duties (such as circumstances described in the pre-qualification criterion (4) on "Past Performance", except where registration or statutory qualifications have been revoked).

7. With respect to situations (i) to (iv), the duration of suspension of the company's pre-qualification status will depend on the specific circumstances of each case until the company or the related personnel can demonstrate the capability to properly execute the project.

8. In the case of situation (i), if the company or the relevant personnel is convicted, the company will be removed from the pre-qualified lists. If the company concerned subsequently meets all the requirements for inclusion on the pre-qualified lists again, it may re-submit an application. If the company or the relevant personnel is acquitted, its pre-qualification status will be reinstated.

Review Mechanism

9. If an applicant is dissatisfied with a decision regarding his pre-qualification status (including being rejected from the pre-qualified lists, being removed from the pre-qualified lists or having his pre-qualification status suspended), he may request a review. The decision of the reviewing authority shall be final.

Tendering Arrangements

10. Project tendering for owners will commence in the first quarter of 2027. Specific arrangements will be announced in due course.

[19] Periodic ratings based on the project performance assessment mechanism for consultants and contractors, as well as owners' feedback will also be taken into account in the future.