

Task Force on Electronic Tendering

Discussion Paper No. 6/2000

Internet Dissemination of Tender Documents

1. Introduction

- 1.1. This paper presents the preliminary proposal for Internet dissemination of tender documents for works contracts.

2. Background

- 2.1. WBTC No. 21/2000 makes provision for the dissemination of tender documents of works contracts as EDP's hosted on CD-ROM's to eligible tenderers. We will broaden the circulation of EDP's through promulgating another WBTC that will enable construction industry organisations to duplicate the CD-ROM's and distribute the duplicates to their members.
- 2.2. We propose to further enhance the availability of EDP through Internet dissemination. This initiative will also make EDP's available to organisations overseas thus facilitating their participation in works project delivery.

3. Preliminary Proposal for Internet Dissemination

- 3.1. Our preliminary proposal is to outsource Internet dissemination to service providers. The service providers will be required to enter into distribution agreements with Works Bureau. The terms for the distribution agreement will cover the following-
 - (a) *Licence for distribution* - The distribution agreement will license the service provider to distribute EDP's through their web sites;
 - (b) *Licence for contents EDP* - The parties who download EDP's from service providers' web sites (the "EDP licensee") will be licensed directly by the Government to use the contents of the EDP's for the purpose of preparing tenders for works contracts. The licence conditions will be similar to those in Annex 2 of WBTC No. 21/2000 with necessary adaptation to suit Internet dissemination;
 - (c) *Level of service* - The service providers will need to comply with requirements on level of service, including-
 - (i) lead time for making EDP's available on their web sites; and

- (ii) bandwidth available for downloading of EDP's and downloading performance;
 - (d) *Identity of EDP licensee* – The service providers will be required to implement reasonable methods for verifying the identity of a party before it is allowed to download EDP's;
 - (e) *List of EDP licensee* – The service providers will be required to provide the list of licensees for each EDP; and
 - (f) *Regular reviews* – The operation of the distribution agreements will be subject to regular reviews.
- 3.2. Both commercial and non-commercial organisations may apply to become service providers. The distribution agreements will be non-exclusive. The service providers may be selected through tendering.
- 3.3. The criteria for assessing the suitability of potential service providers include-
- (a) the reputation and the nature of business of the potential providers; and
 - (b) their ability to comply with the terms of the distribution agreement.
- 3.4. In normal cases, we will charge service providers for the distribution licence. The method for assessing the charges will be agreed with the concerned government bureaux and departments. Works Bureau may waive the charges for non-profit making organisations that disseminate EDP's for non-commercial purposes.

4. Implementation Programme

- 4.1. We will formulate the arrangements for Internet dissemination on the basis of the foregoing preliminary proposal and target to implement the initiative by early 2001.

5. Advice Sought

- 5.1. Members are requested to express their views on the preliminary proposal for Internet dissemination.