| Clause | Remarks/Guidelines |
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| **SCT 22 Information on On-going Works Contracts for Assessment of “Merit/Demerit Point for Safety”** |
| (1) | The tenderer shall submit with its tender either: 1. a statement that it held one or more on-going works contracts in Hong Kong during the Relevant Period; or
2. a statement that it held no on-going works contract in Hong Kong during the Relevant Period,

in the form set out in Appendix [X] to the Special Conditions of Tender. In case the tenderer is a joint venture, each participant or shareholder of the joint venture shall submit such a statement separately. | DEVB’s memo ref. DEVB(W) 546/84/01 dated 10.11.2023.The submission under this clause should be listed under GCT 4(1)(e). |
| (2) | Where the tenderer (or a participant or shareholder of the joint venture) held at least one on-going works contract in Hong Kong during the Relevant Period, the tenderer shall submit with its tender further information and documentary evidence of ONE such on-going works contract as required in Appendix [X] to the Special Conditions of Tender.  |  |
| (3) | The *Project Manager* designate may invite a tenderer to submit further information or clarification regarding an on-going contract in accordance with Clause GCT 16 of the General Conditions of Tender. If a tenderer fails to demonstrate that it held one or more on-going works contract in the Relevant Period to the satisfaction of the *Project Manager* designate, its tender shall be assessed as if it held no on-going works contract during the Relevant Period notwithstanding it has submitted a statement under sub-clause (1)(a) of this Clause. |  |
| (4) | For the purposes of this Clause and Appendix [X] to the Special Conditions of Tender, 1. Relevant Period means the period between and inclusive of the two dates below:-
2. the first day of the 14th calendar month immediately preceding the calendar month in which the original date set for close of tender is in or, if this has been extended, the extended date; and
3. the last day of the 3rd calendar month immediately preceding the calendar month in which the original date set for close of tender is in or, if this has been extended, the extended date.
4. A tenderer (or a participant or shareholder of the joint venture) is regarded as holding an on-going works contract in Hong Kong during the Relevant Period if:-
5. It is acting in the capacity of the main contractor or is a participant/shareholder of a joint venture acting in the capacity of a main contractor of a public or private works contract at any point of time during the Relevant Period;
6. The whole or part of the works under the said contract is to be or has been carried out in a construction site in Hong Kong. For the purpose of this Clause, “construction site” shall bear the same meaning as assigned to it under paragraph 10(a) of DEVB TC(W) No. 5/2023 dated 28 July 2023 or any subsequent update; and
7. The said contract has commenced on or before the last day of the Relevant Period and the works under the said contract as a whole (excluding Maintenance Period) have not been certified complete by the Engineer / Architect / Surveyor / Supervising Officer/ Authorised Person or other equivalent professionals before the Relevant Period commences or, in the case of term contract, the contract term has not yet expired before the Relevant Period commences.
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| **Appendix [ ]**To: The Government of the Hong Kong Special Administrative Region ("Government")Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Dear Sir/Madam,Contract No.: [ ] [ Contract title ]**Information on On-going Works Contracts** \*[I/We], refer to [my/our] tender submitted for the above contract. 2@. \*[I/We] hereby confirm in accordance with Special Conditions of Tender Clause SCT [xx]# that [I/We] held one or more on-going works contracts in Hong Kong during the Relevant Period. Further information and documentary evidence on **ONE** such on-going works contract is provided below:

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| --- | --- |
| Contract No. |  |
| Contract Title |  |
| BD Reference No. (if applicable) |   |
| Name of the Employer/*Client* |  |
| Other information (e.g. name of Engineer / Architect / Surveyor / Supervising Officer / Authorised Person and their contact information e.g. tel. no. , fax no. , email address, etc.) |  |
| Documentary evidence\*(e.g. articles of agreement, recent correspondences issued by the Engineer / Architect / Surveyor / Supervising Officer / Authorised Person and the like for the contract)[Note \*: Please list out the documentary evidence submitted by the tenderer.] |  |

2@. \*[I/We] hereby confirm in accordance with Special Conditions of Tender Clause SCT [xx]# that [I/We] have no on-going works contract in Hong Kong during the Relevant Period.[Note @: Tenderer shall submit either one of the two statement (2) above, as appropriate.]3. \*[I/We] understand that the information provided above is used for the purpose of assessing \*[my/our] tender submitted for the above contract and is subject to verification checking. \*[I/We] agree that the information provided in this declaration may be disclosed to third parties for verification purposes.(Signed for and on behalf of the tenderer or, in case of a joint venture, the relevant participant or shareholder) |  |