

Building Rehabilitation Company Registration Scheme (BRCRS)

Consultation

5 or 6 August 2019



Requirements on Building Rehabilitation

References (樓宇復修要求: 參考文件)

ICAC

The Buildings Ordinance

The Competition Ordinance

PNBI-1

PN HKIS

AACSB Handbook

ISO 9001

ISO 37001

Building Regulation

MBIS and MWIS

ADM-2

URA Guidebook

Contractor Management Handbook

ISO 45001

Building Management Ordinance

CoP Site Supervision

Standard Contracts

PASS and MASS



Background (背景)

The quality of building rehabilitation works (樓宇復修工程質量)

- Governed by Laws and Regulations on the works (受法規監管)
- Governance on professional personnel of various construction disciplines (受工程專業規範)



01 MBIS commenced in 2012 (「強制驗樓計劃」始於2012年)

02 Witnessed incidents resulted from integrity failures, causing quality and financial impacts to small owners (事故由於「誠信失德」而導致質量及經濟影響)

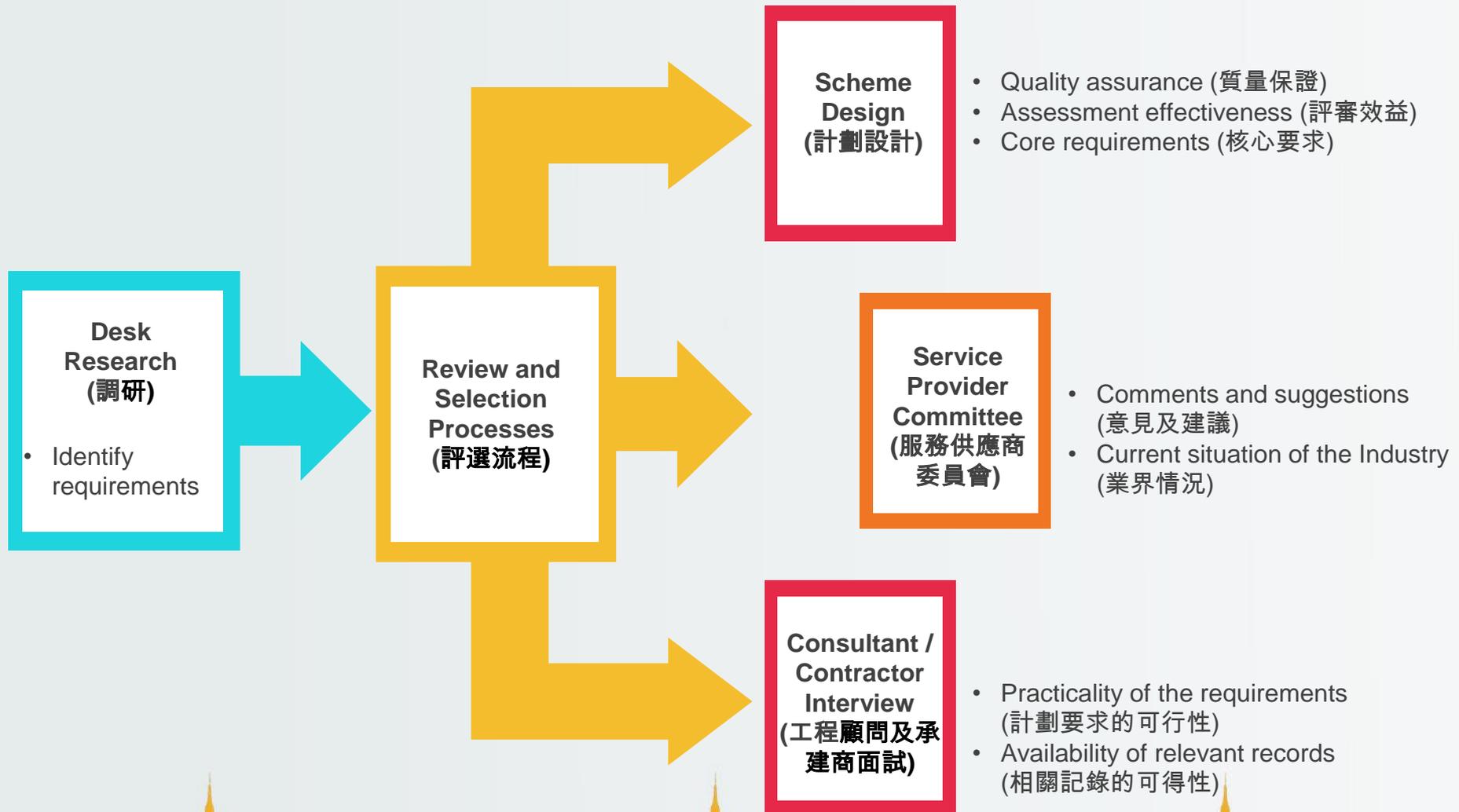
03 Need to assist small owners in evaluating & selecting building rehabilitation service providers (協助評估及選擇樓宇復修工程服務供應商)

04 Encourage service providers to manage integrity related quality issues & improve customer accountability (鼓勵服務供應商處理相關質量事宜及改善對客戶責任)

05

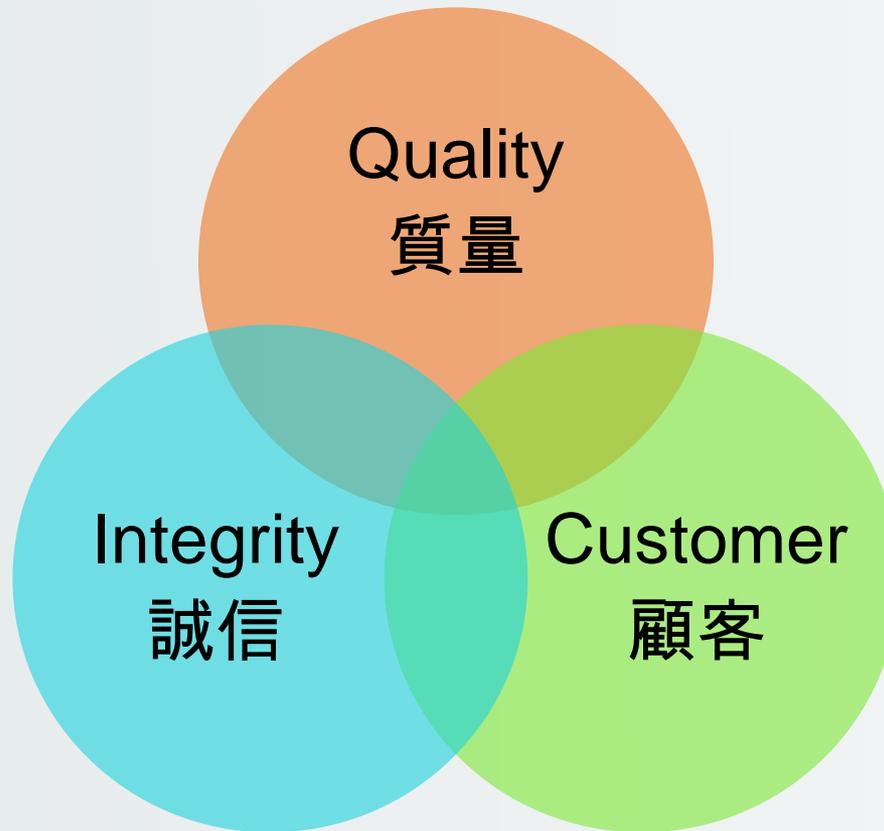


Review and Selection (評選)



Background (背景)

3 related aspects



About the Scheme (關於本計劃)



About the Scheme

Declaration and
Disclosure Requirements
(申報及披露要求)

8 Basic Company
Information Items
(8個公司基本資料事項)

3 Convictions
and Disciplinary
Proceedings
Disclosures
Items
(3個定罪和紀律
訴訟披露事項)

5 Company
Information
Disclosure
Items
(5個公司資
料披露事項)

Assessment
Requirements
(評審要求)

14 Core Requirements
(14項核心要求)

Registration Requirements (註冊要求)

Basic Company
Information
(公司基本資料)

Core
Requirements
(核心要求)



Basic Company Information

Convictions and Disciplinary Proceedings Disclosures Items (定罪和紀律訴訟披露事項)



(CDI-1) Senior Management Conviction for Bribery Offences (高級管理層觸犯賄賂罪行)

- any conviction for bribery offences (觸犯任何賄賂罪行)
- Cap 201 Prevention of Bribery Ordinance (第201章《防止賄賂條例》)
- senior management staff
- past 3 years
- any such cases currently under legal proceedings (包括在訴訟進行中)



(CDI-2) Senior Management Conviction for Anti-competition Offences (高級管理層觸犯反競爭罪行)

- any conviction for anti-competition offences (觸犯任何反競爭罪行)
- Cap 619 The Competition Ordinance (第619章《競爭條例》)
- senior management staff
- past 3 years
- any such cases currently under legal proceedings (包括在訴訟進行中)



(CDI-3) Conviction Leading to Imprisonment (定罪而導致監禁)

- any conviction for malpractice or misconduct in building works or construction related activities (建築工程或相關工作的瀆職或不當行為)
- senior management staff
- leading to imprisonment (導致監禁)
- past 3 years

Basic Company Information

Company Information Disclosure Items (公司資料披露事項)

(GDI-1) Project Reference (項目參考)



one to three projects
completed within 5 years
(1至3個於5年內完成的項目)



numbers of projects
completed within 5 years
(5年內完成的項目數量)

Scope of works: 工作範圍

- Building rehabilitation works 樓宇復修
- Addition & Alteration Works 改動及加建
- New works* 新工程
- Other*

*shall include the activities of building rehabilitation or the activities of addition & alteration

Project locations 項目位置

Contract period 合約工期

Actual completion Date (實際完工日)

Amount of total project contract Sum (項目總額) & Amount of your contract sum (合約金額)



numbers of work in process (WIP) projects (進行中的項目)

Basic Company Information

Company Information Disclosure Items (公司資料披露事項)

(GDI-2) In-house AP/RI (for Consultant only)

在機構內部的認可人士及註冊檢驗人員
(只適用於顧問)

- number of in-house AP / RI



(GDI-4) Other Company Information 其他公司資料

- related parties (關聯公司) on URA's BRCRS registered company list
- e.g. holding company (母公司) and subsidiary (子公司)

(GDI-3) In-house Professional Staff 在機構內部的專業人員

- number of in-house professional staff
- their professional qualifications (專業資格)



(GDI-5) Change of Company Name 公司更名

- previous name(s) of company with dates (之前的公司名稱及更名日期)



Discussion 討論



Registration Requirements

註冊要求

Basic Company
Information
(公司基本資料)

Core
Requirements
(核心要求)



Core Requirements

Item	CORE REQUIREMENTS	Related Aspects		
		Quality 質量	Integrity 誠信	Customer 顧客
1	Contract Management Risk Control 合約管理危機控制	X	X	
2	Oversight of hidden works 監督隱藏工序	X	X	
3	Material submissions approval 物料呈報審批	X	X	X
4	Oversight of subcontractor works 監督分包商工程		X	X
5	Tendering procedure for registered professional engagement 招標流程 - 註冊專業人士參與		X	
6	Approval of completion of defects rectification 執修完工審批		X	X
7	Variation Order (V.O.) Approval 工程變更審批	X	X	X
8	Interim payment transparency 工程進度款 (透明度)	X	X	X
9	Final payment validation 工程尾款 (有效性)	X	X	X
10	No Conviction for Bribery Offences 沒有觸犯賄賂罪行		X	
11	No Conviction for Anti-competition Offences 沒有觸犯反競爭罪行		X	
12	Employee awareness on anti-bribery & prohibition of anti-competition 員工對反賄賂及禁止反競爭的察覺性		X	
13	Client satisfaction 客戶滿意度	X		X
14	Complaint handling 投訴處理	X		X

Core Requirements

1. Contract Management Risk Control

合約管理危機控制

Proper qualified personnel 合資格人士

- **Tender document (招標文件)** enclose the copy of the RGBC/RMWC's qualification was submitted during the tender invitation. (於「邀請招標」階段, 提供「註冊一般建築承建商」及「註冊小型工程承建商」的資歷副本)

Staffing proposal and key personnel committed 員工編制及主要人員委任

- **Staffing proposal** shows the qualifications and relevant experience of the key personnel, and their responsibilities and degree of involvement (員工編制建議書 – 員工資歷及相關經驗, 以及其工作責任)
- **Site inspection plan and supervision records** show the participation and degree of involvement of the key personnel which matches the staffing proposal committed. (地盤檢查計劃及監督記錄 – 其參與者與員工編制建議書內之員工相符)

Core Requirements

Commitment on progress checking and identifying any delay, and taking actions to mitigate the impact from the delay

承諾工程進度檢察及識別和處理工程延誤

- **Minutes of progress meeting with Consultant, Submission of updated master programme, site photos, progress reports.** (包含顧問之進度會議記錄, 更新工程建造總流程表, 地盤照片, 進度報告)
- If delay is found, the **delay reporting record** shall be obtained. (如有工程延誤, 提供延誤報告)



Core Requirements

2. Oversight of hidden works

監督隱藏工序

Submission of hidden works completion evidence

提供隱藏工序的完工證明文件

- **Submissions of measurement records, site photos and site supervision records** of the completion of hidden works (提交已完成隱藏工序的**量度記錄**，**地盤照片**及**監督記錄**)

On-site supervision of hidden works

現場監督隱藏工序

- **On-site supervision records** show the hidden works were under supervision (現場監督記錄 - 顯示所監督的隱藏工序)



Core Requirements

3. Material submissions approval

材料呈報審批

**Submission & approval
adhere to project brief
& contract specification**
呈報及審批按項目及合約
內容

- **Sampled Contractor's material submission** (承建商所提交的材料式樣)
- **project brief** (if any) and **contract specification** (項目及合同內部)
- **approval documents** received from Consultant and the corresponding **material procurement records** (顧問審批文件及材料採購記錄)

**Provisions of materials
samples** 材料式樣

- **Contractor's material samples provisions** (承建商的材料式樣)
- corresponding **approval from Consultant** and the corresponding **material procurement records** (與顧問審批文件及材料採購記錄相符)

Core Requirements

*Condition – Justification
on use of brand name or
restrictive specification*
選用品牌 / 特定類型之原因

- *The **Contractor's justification** shows reason of using the requested brand of repair materials or restrictive specification (承建商選用指定物料品牌或特定類型之理據)*



Discussion 討論



Core Requirements

4. Oversight of subcontractor works 監督分包商工程

**Joint inspection with
Consultant / Client**
與工程顧問及顧客聯合巡
查

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records (邀請記錄/聯合巡查: 例如電郵, 會議記要, 地盤照片)



Core Requirements

5. Tendering procedure for registered professional engagement 招標流程 - 註冊專業人士參與

Condition – Declaration on integrity & anti-tender-rigging, if such requirement is specified in the tender invitation 如邀請投標裡有描述申報誠信及反假標

- **Signed declaration** submission shows the RC was declared as per PNBI-2 requirements, and the signed declaration has been submitted during the tendering stage. (於招標期間, 提交申報簽署)

Condition – Declaration on compliance with ethical commitment clauses AND confirmation on any conviction of offence regarding corruption & fraud, if such requirements are specified in the contract 如合約裡有描述申報道德承諾及確認違反貪污詐騙罪行

- **Signed declaration** submission and a **confirmation letter** submission shall be provided to show the RC was declared as per PNBI-2 requirements, and such submissions have been submitted after the award of contract. (於合約簽訂後, 提交申報簽署及確認函)

Core Requirements

6. Approval of completion of defects rectification 執修完工審批

Joint inspection by consultant & contractor before p.c. to confirm the defective works

於實際完工前, 與工程顧問及承建商聯合巡查, 確認執修工程

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records (邀請記錄/聯合巡查: 例如電郵, 會議記要, 地盤照片)

Joint inspection by consultant & contractor before DLP expiry to confirm satisfactory rectification of defects

於DLP期限前, 與工程顧問及承建商聯合巡查, 確認執修滿意

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records (邀請記錄/聯合巡查: 例如電郵, 會議記要, 地盤照片)

Core Requirements

7. Variation Order (V.O.) Approval 工程變更審批

Obtain Consultant's approval prior to V.O. works
於工程變更前取得工程顧問審批

- **Consultant's approval document**
(工程顧問審批文件)

Cost estimate/quote provided to Consultant prior to V.O. works
於工程變更前提供估算

- **The cost estimation submissions**
(提供估算)

Core Requirements

Condition - V.O. similar to the works item in contract
變更工程與合約裡的工程事項有
相關

The cost estimation submissions; made reference to the tender prices
(估算作為投標價格的參考)

Document all the work variations and the costs involved, AND submit to Consultant

記錄所有變更及其費用並報呈
工程顧問

- **The V.O. log** encloses the work variations and the costs
(變更記錄包括變更工程及費用)

Core Requirements

8. Interim payment transparency 工程進度款 (透明度)

Joint inspection with Consultant before I.P. and completed works records submission 於進度款項及其工程進度完工記錄報呈前, 與工程顧問聯合巡查

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records (邀請記錄/聯合巡查: 例如電郵, 會議記要, 地盤照片);
- **OR inspection photo records, formal written notification, progress report and the submitted statements** (巡查照片記錄, 正式通知函件, 進度報告及呈報聲明)



Core Requirements

9. Final payment validation 工程尾款 (有效性)

Complete defective works rectification prior to final claims submission
於工程尾款前完成執修工程

- **Final claims submissions, F.C. cert. (完工紙), R.I.'s certificate of completion (if applicable), defective works rectification completion reports and defect list (相關完工證明文件)**

Joint inspection with Consultant before F.C.
於完工前與工程顧問聯合巡查

- **Invitation record / joint inspection records, such as the email, meeting minutes and/or photo records (邀請記錄/聯合巡查: 例如電郵, 會議記要, 地盤照片);**
- **OR inspection photo records and formal written notification (巡查記錄照片, 正式通知文件)**

Discussion 討論



Core Requirements

10. No conviction for bribery offences 沒有觸犯賄賂罪行

No conviction for bribery offences against the senior management staff
高級管理層沒有觸犯賄賂罪行

- **Declaration** shows that no conviction for bribery offences under Cap 201 Prevention of Bribery Ordinance against the senior management staff when under employment of the Company in the past 3 years. (申報公司高級管理層過往三年沒有違反防止賄賂條例)

No conviction for bribery offences against the employees (other than senior management staff)
員工(非高級管理層)沒有觸犯賄賂罪行

- **Declaration** shows that no conviction for bribery offences under Cap 201 Prevention of Bribery Ordinance against the employees (other than senior management staff) when under employment of the Company in the past 3 years. (申報公司員工(非高級管理層)過往三年沒有違反防止賄賂條例)

Core Requirements

11. No conviction for anti-competition offences 沒有觸犯反競爭罪行

No conviction for anti-competition offences against the senior management staff
高級管理層沒有觸犯反競爭罪行

- **Declaration** shows that no conviction for anti-competition offences under Cap 619 The Competition Ordinance against the senior management staff when under employment of the Company or against a corporation in the past 3 years. (申報公司高級管理層過往三年沒有違反反競爭條例)

No conviction for anti-competition offences against the employees (other than senior management staff)
員工(非高級管理層)沒有觸犯反競爭罪行

- **Declaration** shows that no conviction for anti-competition offences under Cap 619 The Competition Ordinance against the employees (other than senior management staff) when under employment of the Company in the past 3 years. (申報公司員工(非高級管理層)過往三年沒有違反反競爭條例)

Core Requirements

12. Employee awareness on anti-bribery & prohibition of anti-competition 員工對反賄賂及禁止反競爭的察覺性

Training to all employees
on legal requirements and
good practices
員工法規及實務培訓

- **Training records** show the Company has provided all the employees with training on:
 - the anti-bribery legal requirements and the recommended practices, and
 - the prohibiting anti-competition legal requirements and the recommended practices (提供員工對反賄賂和禁止反競爭的法規及實務培訓記錄)



Discussion 討論



Core Requirements

13. Client satisfaction 客戶滿意度

**Obtain Client's feedback
(by end of DLP)
客戶反饋 (於DLP結束)**

- **Path 1 - Client's satisfaction feedbacks**, such record could be the satisfaction survey, letter of appreciation, contractor/ consultant performance report (客戶滿意度反饋: 例如滿意度調查, 感謝信, 承建商及工程顧問表現報告)
- **OR Path 2 - Valid ISO 9001 certificate** (持有ISO 9001 認證)



Core Requirements

14. Complaint handling 投訴處理

System for receiving, follow-up, taking corrective action
接收, 跟進, 行動處理

- Company's **internal procedure or documentation** shows the mechanism for **handling complaints** is in place. (處理投訴的內部程序或文件)

ditto for subcontractor's works incl. preventive action & penalty
防範及罰則

- Company's **internal procedure or documentation** shows the mechanism for **handling complaints of subcontractors** received is in place. (處理分包商的投訴的部程序或文件)

Complaint log 投訴記錄

- A **complaint log** shows the records of complaint received throughout the project life cycle. (於整個項目流程記錄投訴)

Condition – Timely follow-up actions, if complaint was received
及時跟進和處理

- **Client's/Consultant's final agreed timeframe** or the **written client's instruction**, and the **Contractor's written complaint reply** shows the complaint has been timely followed up. (客戶同意及承建商跟進函件)

Discussion 討論



Registration Process 註冊流程



Core Requirements Assessment

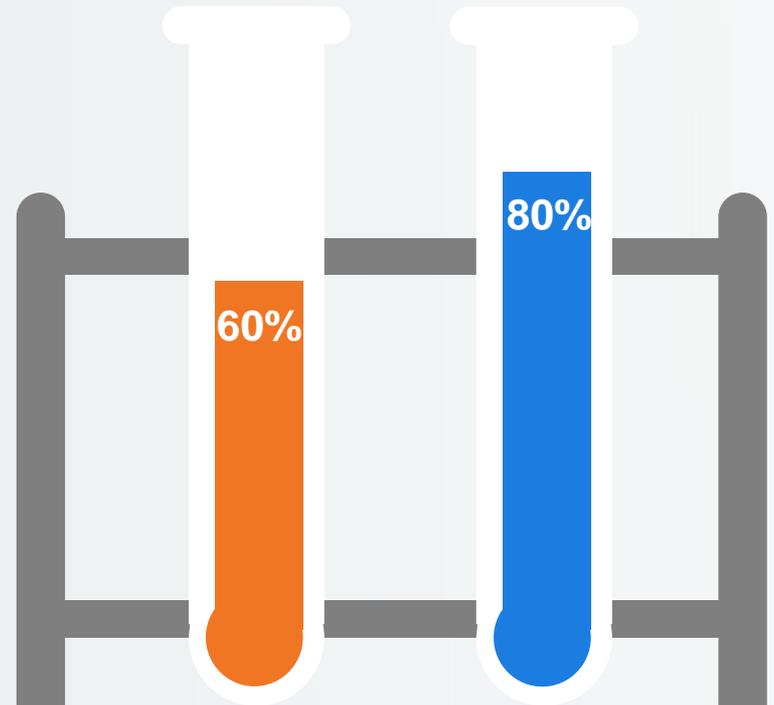
Passing Marks 合格分數

60% Initial Registration (首次註冊)
points of Core Requirements

80% Registration Renewal (註冊續期)
points of Core Requirements

Registration Validity
(註冊有效期)

2 years



Core Requirements Assessment

Project sampling (項目抽樣)



Square-root of total number of projects (項目總數的平方根) in the past 1 year before certification (認證前的過往一年) & in 2 years before renewal (續證前的過往兩年)

- Including both completed and on-going projects (包括完成及進行中的項目)
- With at least 1 completed project (最少一個已完成項目)

Core Requirements Assessment

Assessment coverage (評審範圍)



- Demonstrate full coverage of all core requirements during the assessment (以整體範圍作評審)
- Make use of sampled processes for determination of requirements fulfillment (以抽樣方式作評審)



Discussion 討論





Thank you!

