

**Minutes of the Special Meeting (59th Meeting) of
The Equal Opportunities Commission
held on 12 January 2006 (Thursday) at 4:30 p.m. in the
Equal Opportunities Commission's Conference Room**

Present

Mr. Raymond TANG Yee-bong	Chairperson
Miss CHOI Wai-kam, Virginia	
Mrs. CHONG WONG Chor-sar, J.P.	
Mrs. KOO CHEUNG Man-kok, Christine	
Dr. LO Wing-lok, J.P.	
Mr. Saeed UDDIN, MH	
Mr. YIP Kin-man, Raymond	
Mr. Michael CHAN Yick-man	Secretary [Director, Planning & Administration]

Absent with apologies

Dr. CHENG Kwok-kit, Edwin
Professor Randy CHIU
Miss LAM Kam-yi
Dr. LAW Koon-chui, Agnes, J.P.
Mr. LIU Luk-por, Desmond
The Hon TAM Heung-man, Mandy
Ms Margaret WONG

In attendance

Ms Kitty AU	Consultant Architect, Environmental Advisory Service, Rehabaid Society
Mr. Antonio TAM	Managing Director, Planning Services International (Asia) Ltd.

Mr. F. Y. LEUNG	Associate, Planning Services International (Asia) Ltd.
Mr. Herman POON Lik-hang	Chief Legal Counsel
Mr. Josiah CHOK Kin-ming	Acting Director, Operations
Ms Betty LIU Jia-shin	Head, Corporate Communications & Training
Mr. Ferrick CHU Chung-man	Head, Policy & Research
Ms Loretta TANG Siu-ting	Senior Equal Opportunities Officer, Administration
Ms Fanny LEUNG Sui-ping	Equal Opportunities Officer, Administration & Personnel

I. Introduction

1. The Chairperson (C/EOC) welcomed Members to the meeting.
2. C/EOC welcomed Ms Kitty AU, the Consultant Architect from the Environmental Advisory Service of the Rehabaid Society which offered EOC pro-bono architectural advisory services on the barrier-free office design for persons with a disability (PWDs).
3. C/EOC also welcomed Mr. Antonio TAM and Mr. F.Y. LEUNG of the Planning Services International (Asia) Ltd., EOC's appointed Project Manager.
4. Apologies for absence were received from Dr. Edwin CHENG, Professor Randy CHIU, Miss LAM Kam-yi, Dr. Agnes LAW, Mr. Desmond LIU, The Hon TAM Heung-man, Mandy and Ms Margaret WONG.

5. C/EOC on behalf of the EOC office apologized for the short notice in circulating the meeting paper due to the tight time schedule of the project.

III. New Agenda Item

Tender Report for the Main Contract for Construction of the EOC's New Office at Cityplaza Three (EOC Paper No. 1/2006; Agenda Item 1)

6. Members noted that EOC was on a very tight schedule for its office relocation (to move by end of March 2006) and a decision should be made to appoint the Main Contractor for the construction works to start as soon as possible.

7. Members noted that the Tender Board comprising Members of the EOC Board had met on 11 January 2006 and considered the tender submissions and received the Project Manager's Tender Evaluation Report. The Project Manager had briefed the Tender Board their evaluation and recommendation and answered questions from the Tender Board Members. The Tender Board had unanimously agreed to accept the lowest bid for the main construction works. The EOC Paper No. 1/2006 contained the Tender Board Report for EOC Board's consideration and approval.

8. The representative of Planning Services International (Asia) Ltd. (PSI) briefed Members on the Tendering process which had been carried out according to EOC's procurement policy, their views on the

tender submissions and the contractors' project experience, job references, workmanship and project management skills including their capability of handling EOC's project in parallel with their other projects concurrently.

9. The meeting noted that the price range of the ten Tender Offers received was quite a normal distribution and that on the whole the Tender Sum and the unit prices quoted from the tender submissions were considered reasonable.

10. The meeting further noted that in respect of the lowest bid, prices were quoted for a number of items that would actually be performed by the landlord and not by the contractor. Accordingly, the total cost of the bid would be reduced by excluding those items.

11. The meeting also noted that clauses about liquidated and ascertained damages and surety bond had been included in the Tender Document, to be responsible by the contractor, and the rates were considered adequate by PSI. The contractor would also be required under the building contract to ensure insurance coverage for Contractors' All Risks, Employees' Compensation and Public Liability.

12. The meeting further agreed that to cover potential high rental loss for any delay in the construction works for which the contractor was not to be held liable, such as risk of fire etc., further insurance coverage for such consequential loss should be explored. The EOC

office would follow up on this.

[Post-meeting note: An extension to cover the consequential loss was made under EOC's existing Property All Risks Insurance Policy.]

13. The meeting also noted that the 6-month Defects Liability Period was considered adequate for testing the defects arising from the seasonal weather factors, for the concrete structural work involved in this project.

14. Members noted that the unit rate of the recommended Tender Sum was much lower than the Government rate.

[Post-meeting note: Information subsequently obtained from PSI also revealed that the unit rate of transactions of similar public projects was higher than the EOC's transaction rate.]

15. The meeting's attention was drawn that in order to save costs, existing furniture would be reused in the new office as far as possible.

16. Members noted that the professional views from the Consultant Architect of the Environmental Advisory Service (EAS) of the Rehabaid Society had been taken into account in the new office including the facilities design. Moreover, the recommended requirements in the new Barrier Free Design Manual for PWDs when introduced would be followed. Following up on a Member's suggestion, the EOC office would also consult the Accessibility

Committee of the Rehabilitation Advisory Committee (RAC) on accessibility requirements.

[Post-meeting note: Members of the Sub-committee on Access under the RAC have been contacted, to collect the users' views with an aim to make further improvements.]

17. The EOC Board unanimously approved the Tender Board Report and the Tender Board's recommendation that the lowest bid be accepted.

18. The meeting expressed its appreciation to Ms Kitty Au of EAS for her kind assistance in the relocation project.

IV. Date of Next Meeting

19. The next regular meeting would be held on 16 March 2006 (Thursday) at 2:30 p.m.

20. There being no other business, the meeting was adjourned at 5:30 p.m.

Equal Opportunities Commission
(Minutes confirmed by the EOC at its meeting in March 2006)