

**REPORTING AND MANAGEMENT OF TERM CONSULTANTS FOR  
AIR VENTILATION ASSESSMENT SERVICES**

**Monitoring of Performance**

1. For monitoring the term consultants' performances, Planning Department (PlanD) will keep a performance record of the term consultants who have carried out instructed projects.

**Performance Report**

2. To better monitor the consultant's performance during the term of service, performance reports for each instructed project shall be prepared (i.e. the Interim Report) quarterly by end of March, June, September and December of the year. An Interim Report should be submitted even if no detailed assessment could be made due to various reasons such as no activity being carried out by the consultant during the reporting quarter. In addition to the Interim Report, a Final Report should also be submitted upon completion of the project. The standard template of the performance reports are at Appendices 1 and 2.
3. The reporting officer and countersigning officer should be the concerned Senior Town Planner/Chief Town Planner and Assistant Director respectively in charge of the instructed project. The reporting officer would consult UD&L Section for input regarding the detailed assessment of the consultant's performance on relevant technical aspects in Part II of the performance report.

**Special Performance Report**

4. If at any time during the carrying out of an instructed project, a major default of the consultant or any serious incident regarding the performance of the consultant in an assignment is detected, a Special Report on the performance of the consultant should be prepared using the standard template at Appendices 1 and 2 by the managing section in charge of the instructed project with input from UD&L Section where appropriate.

**Adverse Performance Report**

5. The consultants should be forewarned on their unsatisfactory performances, as

far as possible, before the issue of adverse reports. The warning should be in the form of a letter signed by the concerned Assistant Director or above of the managing section, and addressed to the consultant at principal level so that their senior personnel could be promptly alerted. Adverse report should be adequately justified with facts and evidence.

### **Inadequate Staffing and Manpower Input**

6. The staffing and manpower input provided by the consultants is a crucial factor for achieving good quality of service. If it is considered that the performance of a consultant is not satisfactory due to inadequate staffing and manpower input allocated to the instructed project, the consultant should be requested by the managing section to submit time-log record of his staff so that this could be checked against the original technical proposal, and the findings should be recorded in the performance report.

### **Endorsement of Performance Report**

7. Performance reports shall be submitted to the Planning Consultants Management Committee (PCMC) of PlanD for consideration and endorsement. The PCMC shall manage the consultant's performance reporting and take appropriate actions against under-performers. The endorsed performance report would be sent to the consultant for information by the managing section. The consultant would be informed that the performance report would be used internally by PlanD and would not be released to other bodies such as the Engineering and Associated Consultants Selection Board. Consultant's performance report would be kept for three years as an internal reference by PlanD for consideration of short-listing consultants for conducting study of similar nature by PlanD.

### **Regulating Action against Adverse Performance Report**

8. A consultant who received an adverse performance report for a particular instructed project, be it an Interim, Final, or Special Report, shall be suspended from the bidding of any forthcoming instructed project, which the consultant should have been entitled to bid, for a period of at least 6 months. The commencement date of suspension shall be determined by the PCMC. The consultant, Departmental Administration Division (DAD) and other relevant sections of PlanD should be notified in writing on PCMC's decision of suspension by the Secretary of PCMC.

9. Under the circumstances that a consultant received an adverse performance report after a fee proposal has been invited from or submitted by the concerned consultant for another instructed project, the concerned consultant could still remain in that particular round of selection process. Nevertheless, relevant sections of PlanD would take into account the consultant's latest substandard performance in making recommendations for acceptance of a fee proposal. Notwithstanding the above, the consultant should still be suspended from bidding of any forthcoming instructed project for a period of at least 6 months. The commencement date of suspension shall be determined by the PCMC.
10. Apart from taking regulating action based on an adverse performance report received by a consultant, the PCMC may under other circumstances take regulating action. Such circumstances shall include but not limit to:
- (i) serious misconduct or suspected serious misconduct;
  - (ii) failure or refusal to implement an accepted offer;
  - (iii) court convictions;
  - (iv) violation of laws;
  - (v) poor integrity of employees unless the consultant has taken reasonable measures to avoid or the misconduct is not within the control of the consultant;
  - (vi) serious or suspected serious poor performance or other serious causes in any public or private sector project;
  - (vii) bankruptcy or other financial problems; and
  - (viii) public interest.
11. When imposing a suspension, under any cause, of a consultant from bidding for any instructed projects, the suspension lifting date should be subject to review by the PCMC before the suspension period (i.e. 6 months) is about to lapse. The PCMC should consider the latest performance of the consultant in executing the assignment concerned, performance of the consultant in other projects, and any improvement measures carried out by the consultant in respect of his organization, staff and company operating procedures, and other relevant information in order to decide if a suspension should be extended or lifted as originally scheduled. The consultant, DAD and other relevant sections of PlanD should be notified in writing on PCMC's decision of suspension by the Secretary of PCMC.

## **Appeal**

12. A consultant who does not agree to the performance assessment and/or regulating action made on the consultant may appeal in writing, with substantiations and supporting evidence, to the Director of Planning within 14 days from the date when the copy of the performance report and/or notification of taking regulating action is sent to the consultant. The Director of Planning may or may not interview the consultant, but shall decide on the case within one month's time from the date of receiving the appeal. The Director of Planning may uphold the appeal and uplift the imposed regulating actions or may dismiss the appeal and confirm the imposed regulating actions. The decision of the Director of Planning shall be final. A consultant who seeks appeal against an adverse performance report will not qualify for bidding of any forthcoming instructed project unless the Director of Planning decides to uphold the appeal and uplift the imposed regulating actions in relation to the adverse performance report. Should the Director of Planning decides not to uphold the appeal, the regulating actions in relation to the adverse performance report will be abided.

**RESTRICTED (CONTRACT)**

**Performance Report for Term Consultants for Air Ventilation Assessment Services  
with a Value not Exceeding HK\$3M**

<b>Part I - Summary of Performance</b>	
Section/Office-in-Charge : _____ Interim for Quarter ending _____ / Final / Special * Report	
<i>A. Details of Agreement and Instructed Project</i>	
Agreement No.: _____ Agreement title: <u>Term Consultancies for Air Ventilation Assessment Services</u>	
Category of Consultancy: <input type="checkbox"/> Category A: Term Consultancy for Expert Evaluation and Advisory Services on AVA ( tick as appropriate) <input type="checkbox"/> Category B: Term Consultancy for AVAs by Computational Fluid Dynamics <input type="checkbox"/> Category C: Term Consultancy for AVAs by Wind Tunnels	
Quotation Reference: _____	
Name of Instructed Project: _____	
Consultant's name: _____	
Sub-consultant's name if any: _____	
<i>B. Duration of Instructed Project</i>	
Commencement date : _____	Reason for variation in time (if applicable):
Original completion date : _____	
Anticipated/Actual * completion date: _____	
<i>C. Fee</i>	
Fee basis: Lump sum/Time charge *	Reason for variation in fee (if applicable):
Original fee : \$M _____	
Actual fee: \$M _____	

\* Delete as inapplicable

D. Performance Score

Performance Score: \_\_\_\_\_

(Please refer to Part II)

E. Overall Assessment

Overall Performance:  G : Good or above  
 Ac : Acceptable  
 U : Unacceptable

A "Very Poor" ("VP") grading in any critical assessment item in Part II will render the overall performance "Unacceptable". If no such item is rated "VP", the overall performance will be rated according to the performance score (PS):

G:  $PS \geq 70$ , Ac:  $40 \leq PS < 70$ , U:  $PS < 40$ .

This Report is NOT ADVERSE / ADVERSE \* (The report shall be "adverse" if the overall performance is "Unacceptable")

(For Interim Report)

\* This Report is/is not\* a CONSECUTIVE ADVERSE REPORT under the Instructed Project.

\* This Report is the \_\_\_\_\_ ADVERSE REPORT under the Instructed Project. (the numbering of this adverse report)

F. Remarks by Reporting Officer (at a rank of senior professional or above):

Is the Consultant technically competent? (must tick either one as appropriate)  Yes  
 No

If the performance of the consultant is in any respect "Poor" or "VP", please indicate what actions have been taken to draw the consultant's attention to their shortcomings and the consultant's responses, if any:

Reported by :

( \_\_\_\_\_ )

Title.....

Date.....

**\* Delete as inapplicable**

**G. Remarks by Countersigning Officer:-**

Supplementary comments, if any:

( \_\_\_\_\_ )

Countersigning Officer

Title.....

Date.....

**H. Endorsement by Planning Consultants Management Committee:**

This report is endorsed/has been amended \* by the Chairperson, Planning Consultants Management Committee.

Remark (remarks/reasons need to be given only if the Reporting Officer's report is amended):

( \_\_\_\_\_ )

Chairperson, Planning Consultants Management Committee

Title .....

Date.....

**\* Delete as inapplicable**

Note: All parts of the Consultant's Performance Report shall be copied to the consultant.



RESTRICTED (CONTRACT)

Performance Report For Term Consultants for AVA Services with a Value not Exceeding HK\$3M

**Part II - Detailed Assessment of Performance (for Interim / Special Report only)****Sample for illustration**

Item	Aspects of Performance	VG	G	S	P	VP	N A	Max. Score	Applicable Max. Score	Consultant's Score
1#	<i>Management of project progress &amp; adherence to programme</i>		x					8	8	6.00
2#	<i>Competency of staff</i>		x					8	8	6.00
3#	<i>Adequacy of manpower input</i>			x				8	8	4.00
4#	<i>Adequacy of technical resources</i>			x				8	8	4.00
5#	<i>Achievement of objectives and targets</i>			x				8	8	4.00
6	Collection and appreciation of background information		x					4	4	3.00
7	Efficiency and accuracy in model making						x	4	0	0.00
8	Logics of modeling/testing assumptions						x	4	0	0.00
9	Analysis of assessment findings and identification of ventilation problems			x				6	6	3.00
10	Consideration of alternatives and mitigation measures to improve the ventilation			x				6	6	3.00
11	Effectiveness in presenting findings				x			6	6	1.50
12	Effectiveness in surmounting problems			x				6	6	3.00
13	Appreciation of Government requirements and procedures			x				6	6	3.00
14	Responsiveness of principals				x			4	4	1.00
15	Management of sub-consultants					x		4	4	0.00
16	Relationship between consultant and client	x						4	4	4.00
17	Public relations						x	6	0	0.00
								100	86	45.50
								<b>Performance score</b>		52.9

**General Notes:**

- Mark appropriate box of performance (i.e. VG, G, S, P, VP) for each applicable item with 'x'.
- Critical assessment items are shown in bold italics with symbol # (i.e. items 1 to 5) and 'NA' is not applicable to these items.
  - Put 'x' in the 'NA' column for inapplicable items.
- For any critical assessment items, a 'VP' grading in any critical assessment item will render the overall performance 'Unacceptable'.
- Max. scores are predetermined weightings assigned to the items (could not be changed)
- For applicable items, applicable max. score = max. score.
- For 'NA' items, applicable max. score = 0
- Performanc score = max. score x consultant's score / applicable max. score
- |                  |                              |
|------------------|------------------------------|
| <b>Grade</b>     | <b>Consultant's Score</b>    |
| VG (Very Good)   | 1.00 x applicable max. score |
| G (Good)         | 0.75 x applicable max. score |
| S (Satisfactory) | 0.50 x applicable max. score |
| P (Poor)         | 0.25 x applicable max. score |
| VP (Very Poor)   | 0.00 x applicable max. score |