

Building Rehabilitation Company Registration Scheme (BRCRS)

Consultation

5 July 2019



Requirements on Building Rehabilitation

References

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



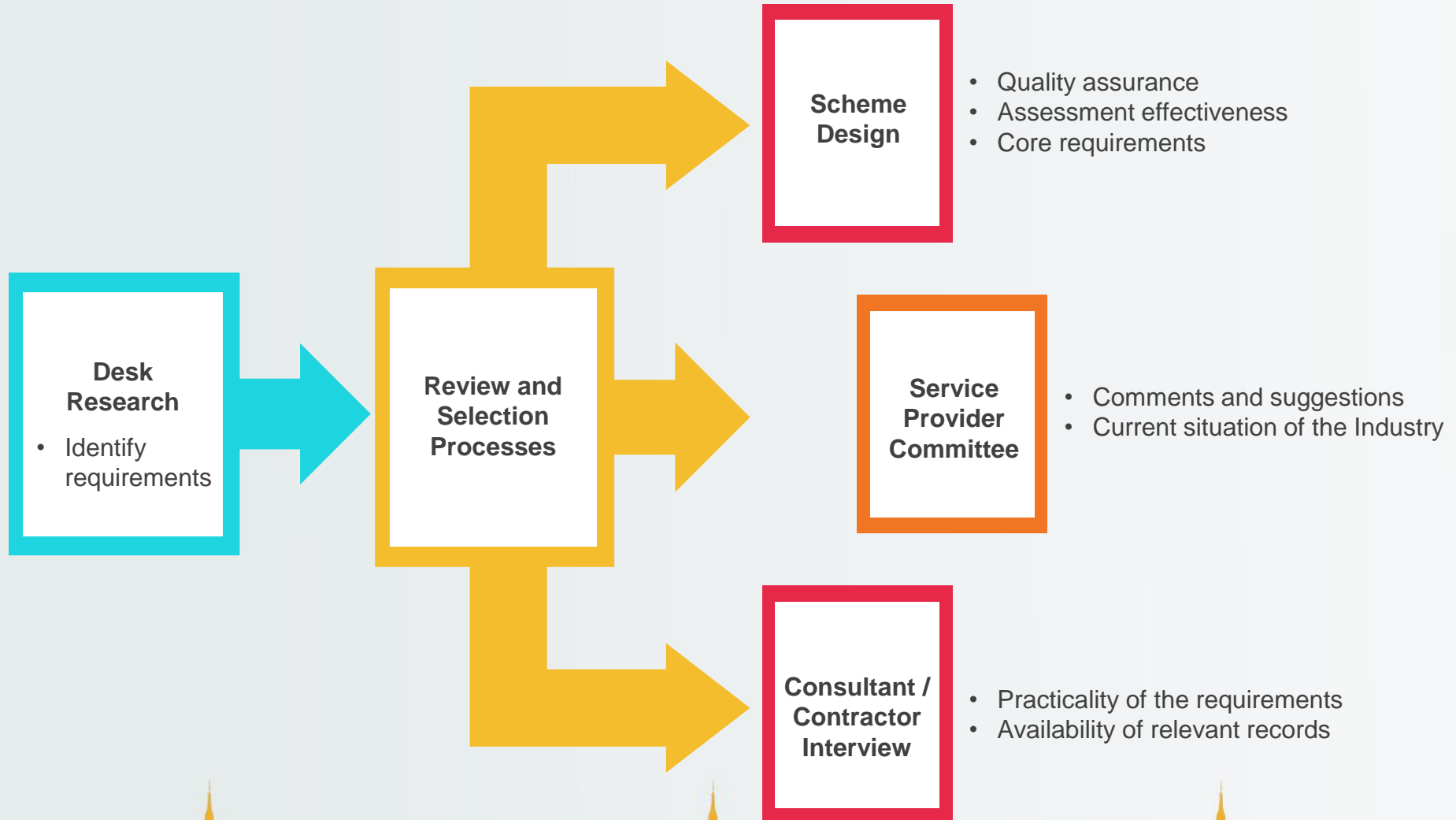
Background

The quality of building rehabilitation works

- Governed by Laws and Regulations on the works
- Governance on professional personnel of various construction disciplines

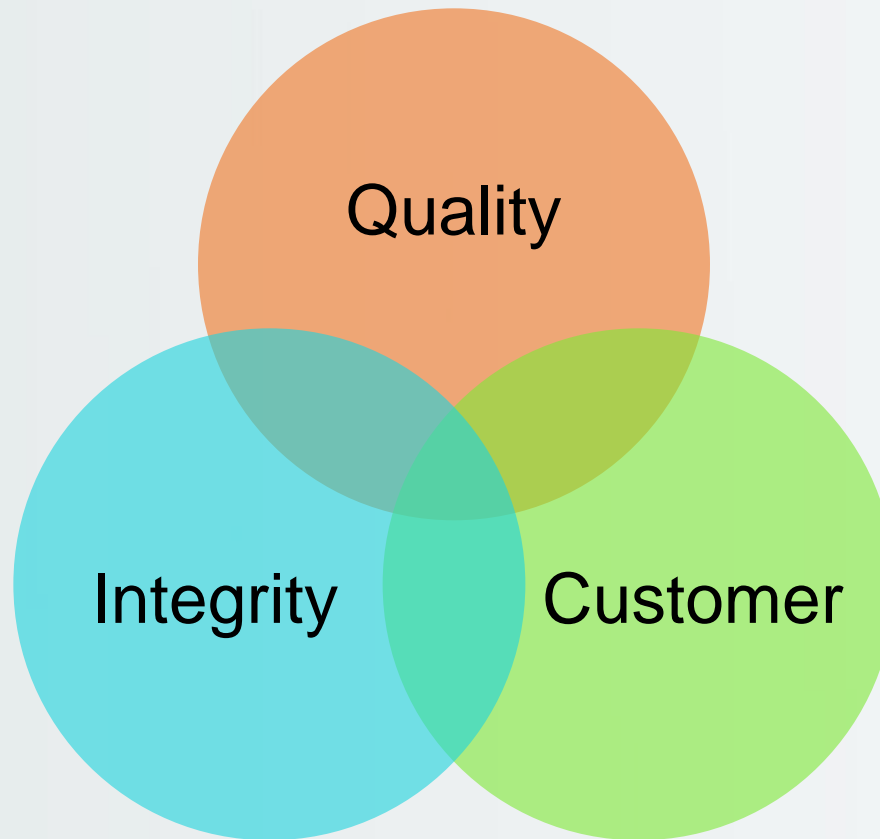


Review and Selection



Scheme Focus

3 related aspects



About the Scheme



About the Scheme

Declaration and Disclosure Requirements

8 Basic Company Information Items

3 Convictions and Disciplinary Proceedings Disclosures Items

5 Company Information Disclosure Items

Assessment Requirements

13 Core Requirements



Registration Requirements



Basic Company
Information

Core
Requirements



Basic Company Information

Convictions and Disciplinary Proceedings Disclosures Items



(CDI-1) Senior Management Conviction for Bribery Offences

- any conviction for bribery offences
- Cap 201 Prevention of Bribery Ordinance
- senior management staff
- past 3 years
- any such cases currently under legal proceedings



(CDI-2) Senior Management Conviction for Anti-competition Offences

- any conviction for anti-competition offences
- Cap 619 The Competition Ordinance
- senior management staff
- past 3 years
- any such cases currently under legal proceedings



(CDI-3) Conviction Leading to Imprisonment

- any conviction for malpractice or misconduct in building works or construction related activities
- senior management staff
- leading to imprisonment
- past 3 years

Basic Company Information

Company Information Disclosure Items

(GDI-1) Project Reference



one to three projects
completed within 5 years



numbers of projects
completed within 5 years

Scope of works:

- Condition survey
- Project management services
- Authorized Person Services
- Other (include the activities of building rehabilitation or the activities of addition & alteration)

Project locations

Contract period

Actual completion date

Amount of total project contract Sum & Amount of your contract sum



numbers of work in process (WIP) projects

Basic Company Information

Company Information Disclosure Items

(GDI-2) In-house AP/RI

- number of in-house AP / RI



(GDI-4) Other Company Information

- related parties on URA's BRCRS registered company list
- e.g. holding company and subsidiary

(GDI-3) In-house Professional Staff

- number of in-house professional staff
- their professional qualifications



(GDI-5) Change of Company Name

- previous name(s) of company with dates



Discussion



Registration Requirements



Basic Company
Information

The diagram consists of two rectangular boxes. The left box is solid yellow and contains the text 'Basic Company Information'. The right box is orange and contains the text 'Core Requirements'. This orange box is enclosed within a larger, hollow blue rectangular border. The background is light blue with a faint grid pattern. At the bottom of the slide, there is a decorative horizontal bar with a colorful city skyline silhouette in shades of red, orange, yellow, teal, and blue.

Core
Requirements

Core Requirements

Item	CORE REQUIREMENTS	Related Aspects		
		Quality	Integrity	Customer
1	Contract Management Risk Control	X	X	
2	Oversight of hidden works	X	X	
3	Material submissions approval	X	X	X
4	Tendering procedure for registered professional engagement		X	
5	Approval of completion of defects rectification	X	X	X
6	Variation Order (V.O.) Approval	X	X	X
7	Interim payment transparency	X	X	X
8	Final payment validation	X	X	X
9	No Conviction for Bribery Offences		X	
10	No Conviction for Anti-competition Offences		X	
11	Employee awareness on anti-bribery & prohibition of anti-competition		X	
12	Client satisfaction	X		X
13	Complaint handling	X		X



Core Requirements

1. Contract Management Risk Control

Proper qualified personnel

- **Tender document** enclose the copy of the AP/RI's qualification was submitted during the tender invitation.

Staffing proposal and key personnel committed

- **Staffing proposal** shows the qualifications and relevant experience of the key personnel, and their responsibilities and degree of involvement
- **Meeting minutes, inspection records and supervision plan** show the participation and degree of involvement of the key personnel which matches the staffing proposal committed.

Core Requirements

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

- **Master programme, site photos, minutes of progress meeting with Contractors, progress reports received from Contractors.**
- **If delay is found, the delay reporting record shall be obtained.**



Core Requirements

2. Oversight of hidden works

Contract document include the requirements of submission of hidden works completion evidence

- **Contract document**

Inspection on hidden works

- **Hold-point inspection records** show the inspection of hidden works as per the works progress scheduled



Core Requirements

3. Material submissions approval

**Submission & approval
adhere to project brief
&
contract specification**

- **Sampled Consultant's material approval**
- **project brief and contract specification.**

**Materials samples
review & approval**

- **Consultant's request records and the approval records**



Core Requirements

Display of approved material samples

- **Photo records / written record** show the **samples** have been displayed for property owner's reference

Condition – Approval and justification on use of brand name or restrictive specification

- ***Consultant's approval & justification***



Discussion



Core Requirements

4. Tendering procedure for registered professional engagement

Declaration on Probity & Anti-collusion

- **Signed declaration** shows the RI and his company were declared as per PNBI-2 requirements, and has been submitted during the tendering stage.

Declaration on any conviction of offences regarding corruption & fraud

- **Signed declaration** letter shows the RI was declared as per PNBI-2 requirements, and the signed declaration letter has been submitted upon confirmation of appointment.

Declaration on any connection with the bidders

- **Signed declaration** submission shall be provided to show the RI was declared as per PNBI-2 requirements, and the signed declaration has been submitted before the tender assessment.

Core Requirements

Contractors' declaration on integrity & anti-tender-rigging

- **Tender invitation documents** include the requirement of the submission of a declaration on integrity and anti-tender-rigging.

Contractors' declaration on compliance with ethical commitment clauses AND confirmation on any conviction of offence regarding corruption & fraud

- **Contract document** shows the requirements of submission of a declaration on compliance with the ethical commitment clauses AND also a confirmation letter declaring if the contractor has or has not been convicted of any offence regarding corruption, fraud, etc. in any projects.

Core Requirements

5. Approval of completion of defects rectification

List of defective works issued before p.c.

- **Defects list issuance to the Contractor**, evidence of informing the Client about the overall defects, **approval of DLP commencement, p.c. cert.**

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

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records

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

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records



Core Requirements

6. Variation Order (V.O.) Approval

Obtain Client's approval prior to V.O. works

- **Client's approval document**

Obtain Client approved financial limit for V.O.

- **Client's approved budget estimate / quote for V.O.**

Cost estimate/quote provided to Client prior to V.O. works

- **Cost estimation submissions**



Core Requirements

Condition - V.O. similar to the works item in contract

- *The **cost estimation submissions**;*
- *made **reference to the tender prices**.*

Condition - V.O. due to the omission of the basic inspection items required in the Code of Practice on MBIS and MWIS

- *The omissions found shall be explained with **written confirmation***

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

- **The V.O. log** encloses the work variations and the costs.



Core Requirements

7. Interim payment transparency

I.P. as per contract terms

- **I.P. Cert. and Contract Document**

Joint inspection with Client before I.P.

- **Invitation record / joint inspection records**, such as the email, meeting minutes and/or photo records.

Work progress reports and financial statement for Client's reference OR submission to Client

- **Photos** demonstrating the display of the work progress reports and financial statements;
- OR **submissions to the Client** show the works progress and the financial statements have been informed to the Client

Core Requirements

8. Final payment validation

Complete defective works rectification prior to F.C.

- **F.C. cert., defective works rectification completion reports and defect list**

Joint inspection with Client before F.C.

- **Invitation record / joint inspection records, such as the email, meeting minutes and/or photo records.**



Discussion



Core Requirements

9. No conviction for bribery offences

No conviction for bribery offences against the senior management staff

- **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.

No conviction for bribery offences against the employees (other than senior management staff)

- **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.



Core Requirements

10. No conviction for anti-competition offences

No conviction for anti-competition offences against the senior management staff

- **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.

No conviction for anti-competition offences against the employees (other than senior management staff)

- **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.



Core Requirements

11. Employee awareness on anti-bribery & prohibition of anti-competition

Training to all employees on legal requirements and good practices

- **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



Discussion



Core Requirements

12. Client satisfaction

Obtain Client's feedback
(by end of DLP)

- **Path 1 - Client's satisfaction feedbacks**, such record could be the satisfaction survey, letter of appreciation, contractor/consultant performance report;
- **OR Path 2 - Valid ISO 9001 certificate**



Core Requirements

13. Complaint handling

System for receiving, follow-up, taking corrective action

- Company's **internal procedure or documentation** shows the mechanism for **handling complaints** is in place.

ditto for contractor's works inc. preventive action & penalty

- Company's **internal procedure or documentation** shows the mechanism for **handling complaints of Contractors** received is in place.

Complaint log

- A **complaint log** shows the records of complaint received throughout the project life cycle.

Condition – Timely follow-up actions, if complaint was received

- **Client's final agreed timeframe** or the **written client's instruction**, and the **company's written complaint reply** shows the complaint has been timely followed up.



Discussion



Registration Process



Core Requirements Assessment

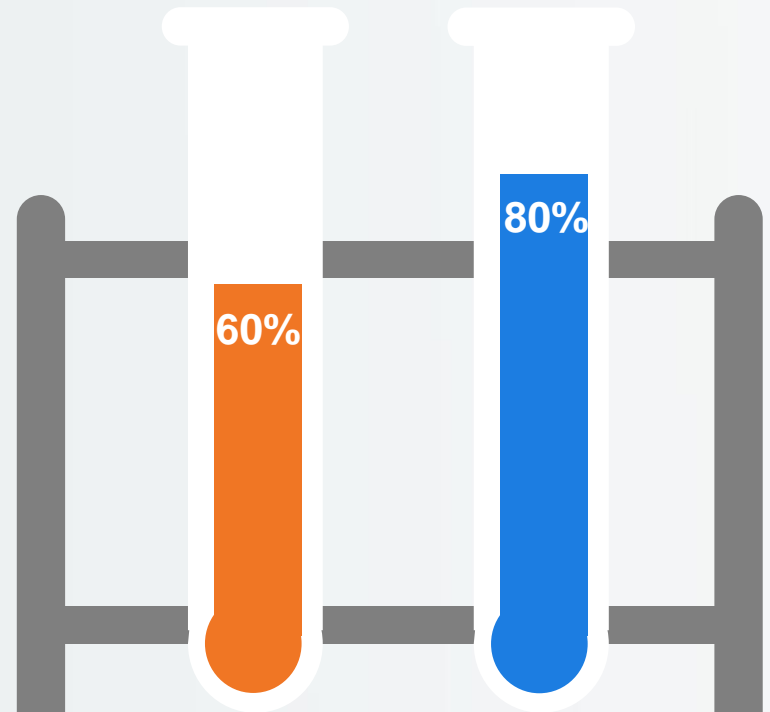
Passing Marks

60% **Initial Registration**
points of Core Requirements

80% **Registration Renewal**
points of Core Requirements

Registration Validity

2 years



Core Requirements Assessment

Project sampling



Square-root of total number of projects in the past 1 year before certification & in 2 years before renewal

- Including both completed and on-going projects
- With at least 1 completed project



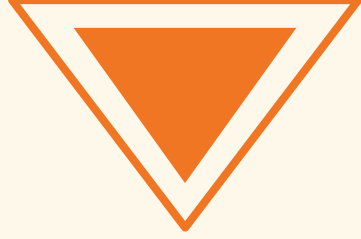
Core Requirements Assessment

Assessment coverage



- Demonstrate full coverage of all core requirements during the assessment
- Make use of sampled processes for determination of requirements fulfillment





Thank you!

