CPAS 防貪諮詢服務
Corruption Prevention
Advisory Service

The Corruption Prevention Advisory Service (CPAS) of the Corruption Prevention Department of ICAC provides free, confidential and tailor-made service to private organisations including NGOs. Please contact CPAS through the following channels:

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廉政公署
ICAC

Tips for NGOs
Selection and Management of

WORKS CONSULTANCIES

for Transitional Housing Projects

Works consultants play a key role in transitional housing projects in assisting non-governmental organisations (NGOs) in the design work, selection and supervision of contractors, and contract administration. Past ICAC cases revealed that bribery involving consultants would not only result in financial loss to organisations, but also affect works quality and public safety. This pamphlet lists some common corruption risks with the relevant control measures in the selection and management of works consultancies to facilitate NGOs in detecting and deterring corrupt practices in the implementation of transitional housing projects. NGOs may also refer to ICAC's another pamphlet on “Letting and Administration of Works Contracts” to understand the related risks and control measures.

RISKS AND CONTROL MEASURES

SELECTION OF CONSULTANCIES

INTEGRITY RISKS

- Manipulation of the tender assessment process to favour a particular tenderer
- Tenderers' / consultants' low awareness of probity requirements
- Leakage of tender price of other tenderers to the colluded tenderer to facilitate adjustment of its tender price to outbid other competitors

CONTROL MEASURES

- Require all staff involved in the selection and management of consultants to declare any actual or potential conflict of interest and put in place measures to manage the conflict declared / unveiled
- Set up a panel for tender assessment
- Pre-determine the tender assessment criteria and their weightings and disclose such information in the tender documents
- Require panel members to independently evaluate the tenders and document the assessment results properly
- Include anti-bribery and anti-collusion clauses in the tender documents, and require tenderers to submit, as part of their tender submission, a declaration pledging compliance with the clauses
- Include probity clauses in consultancy agreements to commit consultants to ethical practices
- Implement security measures (e.g. use a double-locked tender box / an encrypted electronic system) to receive tenders and keep all tenders received in safe custody

SITE SUPERVISION

INTEGRITY RISKS

- Lax supervision and connivance at contractors' substandard materials and poor workmanship
- Site supervisory staff accepting frequent / lavish entertainment from contractors while conducting inspections outside Hong Kong, resulting in conflict of interest or compromised impartiality in inspection

CONTROL MEASURES

- Require consultants to submit a supervision plan before commencement of works
- Require consultants to regularly report site progress and quality matters
- Require consultants to maintain detailed works inspection records
- Require consultants to set out the inspection and reporting requirements (including frequency of inspection, rank and number of site supervisory staff)
- Prohibit site supervisory staff from accepting frequent / lavish entertainment from contractors

PAYMENT TO CONSULTANTS

INTEGRITY RISKS

- Over-certification of consultancy fee to favour consultants

CONTROL MEASURES

- State the work stages for payment entitlement and time limit for processing payment applications
- Require consultants to provide service details for payment claims

ORDERING OF ADDITIONAL SERVICES

INTEGRITY RISKS

- Ordering unnecessary additional services to favour consultants

CONTROL MEASURES

- Specify the levels of authorities and their financial limits for approving variations to the scope of consultancy agreements

MONITORING OF CONSULTANTS' PERFORMANCE

INTEGRITY RISKS

- Conniving at consultants' substandard performance

CONTROL MEASURES

- Set up a mechanism for regular reporting of the consultants' performance or for adverse reporting by the project team to the management
- Require consultants to submit monthly progress reports, detailing the consultancy services completed for the period, the works progress, and the project financial status