Expressions of Interest (EOI) and Prequalification of Theatre Systems Integrator Key Domestic Sub-Contractors for the Xiqu Centre (Phase I), Project of WKCD

14 February 2014
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Appendix 1: WKCD Area Plan
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Appendix 3: WKCD Xiqu Centre (Phase I) –Floor Plans and Sections of Theatre, Tea House, Seminar Hall, Broad Cast Suite and Plaza.
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1. INTRODUCTION

West Kowloon Cultural District Authority (the “Authority”) is a public body established under Section 3 of the West Kowloon Cultural District Authority Ordinance, Cap. 601.

Background information about the project of the West Kowloon Cultural District (the “WKCD”) is available at the Authority’s website: “http://www.westkowloon.hk”. The WKCD area plan is in Appendix 1.

2. REQUIREMENTS

The Authority intends to select a key domestic sub-contractor to act as Theatre Systems Integrator (the “TSI”) for the Design, Fabrication, Supply, Installation, Testing and Commissioning of Theatre Systems for the Xiqu Centre (Phase I) (the “TSI Works”).

To achieve the purpose, a two-stage selection process of the Authority will be conducted as below:

Stage 1 - Expression of Interest (EOI) and Prequalification Process

Contractors are invited to express their interest to be prequalified as shortlisted key domestic sub-contractors for the TSI Works. Contractors shortlisted shall be identified in the Main Contract tender documents as shortlisted sub-contractors for selection by the Main Contract tenderers as their key domestic sub-contractor for the TSI Works. Interested contractors shall complete and return the Form of Expression of Interest to the Authority and lodge the prequalification submissions in accordance with this EOI and prequalification document.

Prequalification assessment will be carried out by a Prequalification Assessment Panel. It is anticipated that a minimum of three contractors will be shortlisted by the panel to proceed to Stage 2.

Stage 2 – Shortlisted Contractors

The Authority will notify the successful contractors that they are shortlisted for selection by the Main Contract tenderers as their key domestic sub-contractor for the TSI Works.

3. THE PROJECT – XIQU CENTRE (PHASE I)

3.1 Project Vision

The Xiqu Centre (Phase I), Project of the Authority will be one of the first venues to be opened in the WKCD. Occupying a prime site at the eastern edge of the WKCD on the corner of Canton Road and Austin Road West, the Xiqu Centre will provide a gateway to
the cultural district. The building concept for the Xiqu Centre is to be an excellent place for the performance and development of Cantonese Opera and other related art forms, enjoyable to visit, whilst being efficient and cost effective to operate.

The approximate gross floor area (GFA) of the Xiqu Centre is around 29,900m$^2$.

Applicants shall note the approach taken and the emphasis adopted by the Authority in implementing the WKCD project, including the Xiqu Centre:

(i) Rigorous value engineering and cost containment will be undertaken to ensure WKCD facilities are value for money, built in a cost effective manner and within budget;

(ii) A more functional and pragmatic approach should be adopted in the design and construction of the WKCD facilities, putting emphasis on functionality and contents over the form of the design; and

(iii) Creative ways to early deliver the WKCD facilities shall be explored.

3.2 The Site

The Site for the Xiqu Centre is shown in Appendix 2.

The Site is on reclaimed land adjacent to various items of infrastructure and underground utilities which include the existing MTRCL’s Express Railway Line (XRL) and station, Austin Station, a Fire Station, existing diaphragm walls, access roads and drainage and utilities facilities, etc.

3.3 Procurement of Key Domestic Sub-Contract (KSCD) and Main Contract

The Main Works of the Xiqu Centre will be procured under a single contract containing a number of Key Domestic Sub-Contracts (KDSC), of which the TSI Works will be one.

The Main Contract tenderers will be shortlisted from Group “C” of the “Buildings” category of the Development Bureau’s List of Approved Contractors for Public Works (excluding contractors on probationary status). They are required to select a key domestic sub-contractor for the TSI Works from a list of shortlisted KDSC sub-contractors when they submit the Main Contract tender. The appointed Main Contractor will enter into a Key Domestic Sub-Contract (KDSC) with their selected TSI as their key domestic sub-contractor for the TSI Works.

The tentative programme for the Main Works is as follows:-

• Commencement of the Main Works: June / July 2014
• Completion of the whole of the Project: 2017

3.4 Project Constraints

(a) Site Surroundings

There is an existing Tsim Sha Tsui Fire Station at the south of the proposed Xiqu Centre building. Clearance between the external building envelop and the hoarding line is approximately 1.5m only. Material hoisting on the south side must be handled with extreme care to ensure site safety while not damaging the adjacent property and the constructed building envelope or structure.

There will be several construction sites in progress in close proximity to the proposed Xiqu Centre building, including Austin Road West Diversion, MTRCL’s Express Rail Link (XRL) station and overrun tunnels, various utility diversion works, etc. Therefore, site logistics and construction procedures need to be carefully planned.

(b) Building Structure

The building structure consists of two different structural systems:

Sub-structure (which includes floors B2 – G/F):

The sub-structure consists of a reinforced concrete frame supported on concrete columns and core walls.

Super-structure (above G/F):

The super-structure of the building is predominantly a steel framed construction comprising steel beams which act compositely with the concrete floor slabs and composite steel and concrete columns.

The Main Theatre is supported by a series of steel trusses underneath which are suspended from a grillage of larger steel trusses at roof level by steel hanging columns. The fly-tower is suspended from these roof trusses and comprises an external steelwork skeleton which supports 200mm thick precast concrete panels which form the inner wall.

(c) Acoustically Isolated Construction (box-in-box):

Acoustically Isolated Constructions (AICs) are wall, floor, ceiling components, or entire rooms, constructed with resilient materials or other acoustic isolation systems. The purpose of the AIC is to limit structure-borne noise and vibration transfer into noise critical rooms from the exterior or from the surrounding building structure (or
vice versa). AICs may be referred to as box-in-box constructions.

Components of AICs include, but are not limited to, resiliently supported concrete slabs, walls constructed on resiliently supported slabs, walls constructed on isolation mats, walls with resilient head connections to slabs above, and resiliently suspended ceilings. They include masonry as well as stud walls.

AIC is accomplished by utilizing resilient architectural acoustic isolation materials. The acoustic intent is to avoid rigid connections across the entire extent of building components by separating them with resilient materials. Coordination is required by all trades to avoid rigid connections between isolated building components and shop and working drawings should show this coordination.

AIC rooms are as follows: Tea House (including the Control Room), Seminar Hall (including the Control Room), Rehearsal Halls, Practice Rooms, Broadcast Suite (multiple AICs for separate uses).

The Main Theatre is an AIC structure also acoustically isolated by Acoustic Joints. An acoustic joint (AJ) is defined as a continuous minimum 50mm clear separation of adjacent building constructions, free of all rigid materials between the isolated structures. This joint will completely surround the Main Theatre. The purpose of the AJ is to provide a structural discontinuity to resolve lateral force issues and provide a high level of air-borne and structure-borne noise and vibration isolation between the Main Theatre structure and the surrounding structure.

4. **ANTICIPATED SCOPE OF THE KEY DOMESTIC SUB-CONTRACT (KDSC) WORKS**

4.1 **General**

The TSI Works are essentially constituted by the following main items of works:-

4.1.1 Specialist TSI Systems: (a) Theatre Lighting and Dimming Control System; (b) Performance Video System (PV); and (c) Performance Sound and Communications System (PSC);

4.1.2 Electrical Works within the Theatre Areas and Performance Related Spaces of the Project (as shown in Appendix 4); and

4.1.3 Provision of lead coordination services for system installations and other trades inside the Theatre Areas and Performance Related Spaces of the Project.

The TSI Works shall be priced on a lump sum basis and included in the Main Contract tenders without price or currency fluctuations. The works are based on the design intent drawings and performance specification prepared by the design consultant of the Project.
Quantities will be provided for reference and shall include works subject to excision in the Main Contract (see Paragraph 4.5.2 below). The shortlisted key domestic sub-contractors for the TSI Works shall submit their bids to the Main Contract tenderers for them to formulate their tender submission for the Main Contract, in which its price and technical proposal are both subject to tender evaluation.

The Main Contract tenderers will be allowed to select one (1) shortlisted key domestic sub-contractor for carrying out the TSI Works.

4.2 **Specialist TSI Systems**

The TSI Works to be included in the Main Contract works generally include the design, fabrication, supply, installation, testing and commissioning of the following specialist systems:

4.2.1 Theatre Lighting and Dimming Control System

(a) Stage Dimming & Circuit Distribution;
(b) House Work & Run Lighting Controls;
(c) Control Network & Equipment;
(d) Control Console & Accessories;
(e) Stage Lighting Outlet Panels;

4.2.2 Performance Video System (PV)

(f) Production Video - Video Front Projection System;
(g) Production Video - Opera Titles System;
(h) Production Video - Camera System;
(i) Production Video - Main Theatre Video Surveillance System;
(j) Production Video - Broadcast Control room System;
(k) Production Video - Video Server & Encoding;
(l) Production Video - Digital Media Infrastructure;
(m) Production Video - Building Wide (BW) Lobby Video System;
(n) Production Video - Backstage Video System;
(o) Production Video - BW Presentation Video;
(p) Production Video - BW Audio-visual Control Systems;
(q) Production Video - BW Edit Room;
(r) Production Video – Rehearsal and Practice Rooms Video System;

4.2.3 Performance Sound and Communications System (PSC)

(s) PSC – Main Theatre Sound & Communications;
(t) PSC – Tea House Sound & Communications;
(u) PSC – Seminar Hall Sound & Communications;
(v) PSC – Broadcast Suite Audio Recording Room;
(w) PSC – Rehearsal and Practice Rooms Sound & Communications;
(x) PSC – Plaza, Theatre Lobbies, and Bamboo Theatre Event Panels;

4.2.4 Warranty and drawings for the specialist systems

(y) Provision of training for use of and warranty for the specialist systems; and

(z) Provision of full and detailed work drawings of the specialist systems.

4.3 **Electrical Works within the Theatre Areas**

The TSI shall undertake the following works in respect of the Theatre Areas and Performance Related Spaces of the Project:

(a) All primary and secondary containment for all systems inside or passing through the Theatre Areas and Performance Related Spaces of the Project including, without limitation, the TSI systems and those systems for power, Fire Alarm (FA), lighting, Voice & Data (V&D), Building Management System (BMS), paging, stage lighting, audio and video systems; and

(b) Electrical supply and installation for all systems including the TSI systems within or passing through the Theatre Areas and Performance Related Spaces of the Project.

4.4 **Lead Coordination Services**

4.4.1 In addition, together with the Main Contractor, the TSI sub-contractor is required to assume a lead coordination role for the system installations on the Theatre Areas and Performance Related Spaces of the Project, responsible to coordinate installations of systems inside or passing through the Theatre Areas and Performance Related Spaces of the Project, solve clashes, and coordinate drawings submissions for approval. The systems which require the coordination services shall include, without limitation the following:

(a) TSI Systems;

(b) Stage Rigging & Machinery System;

(c) Theatre Seating;

(d) Movable Partitions & Wall systems;

(e) Smoke & Fire Curtain System;

(f) Raised Floor Systems;

(g) Fire Protections Systems;

(h) Sprinklers;

(i) Acoustic Doors;

(j) Plumbing & Drainage Systems;

(k) Mechanical Systems;

(l) Builders Works;

(m) Fitting Out Works;

(n) Miscellaneous Metal Works;

(o) Electrical Installation;

(p) ELV Security & access system; and
4.4.2 As the lead coordinator for the Theatre Areas and Performance Related Spaces of the Project, the TSI sub-contractor shall assume, without limitation, the following functions in respect of all systems inside or passing through the Theatre Areas and Performance Related Spaces of the Project:

(a) Lead role and joint chair with the Main Contractor and relevant trades at regular meetings for building services and system installations;
(b) Initial review of submissions and problem reporting;
(c) Management and coordination of drawings submissions for all systems within the agreed programme; and
(d) Management and coordination of as built drawings submissions for all systems;
(e) Advising the Main Contractor of the building works requirements in connection with the systems in a timely manner.

4.5 Location of TSI Works and TSI Works subject to excision

4.5.1 The Theatre Areas and Performance Related Spaces of the Project are shown in Appendix 4. The TSI sub-contractor shall assume the lead responsibility in these Areas and Spaces. A “Responsibility Matrix Table” showing the allocation of duties between the TSI sub-contractor and the General Electrical Contractor is also attached in Appendix 5.

4.5.2 A number of items of the TSI Works will be specified in the Main Contract as works subject to excision for value engineering purposes.

4.5.3 The TSI will be required to cooperate and work closely with a number of other key contractors and sub-contractors, including but limited to:

1. The Main Contractor;
2. The General Electrical Contractor and associated specialists (ELV, BMS etc.)
3. The General Mechanical, Plumbing & Drainage, Fire Services Contractors;
4. The Rigging System and Stage Engineering Contractor; and
5. The Seating Contractor.

4.5.4 The scope of works for the TSI Works does not include loose theatre lighting instruments. The Authority will be tendering the loose theatre equipment works at a later stage of the Project.

5. COMPETENCY & QUALIFICATION OF SHORTLISTED CONTRACTORS

5.1 The shortlisted key domestic sub-contractors are expected to possess the necessary qualifications in the respective disciplines to undertake the TSI Works. They must be able to demonstrate a proven track record in carrying out this role of a similar
nature and on a similar scale and complexity to fulfil the requirements of the Authority.

5.2 The shortlisted key domestic sub-contractors must meet the following key assessment criteria and requirements:

<table>
<thead>
<tr>
<th>Assessment criteria and requirements</th>
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<tbody>
<tr>
<td><strong>(1) Project Experience</strong></td>
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<td><strong>1.1</strong></td>
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<tr>
<td>(a) Completion of at least five (5) projects of similar scale and nature within the last ten (10) years;</td>
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<tr>
<td>(b) The applicant or the lead applicant should have been incorporated for a minimum of 12 years;</td>
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<tr>
<td>(c) Demonstrable track record on projects of a similar size, materials, systems and complexity (globally and in HK);</td>
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<td>(d) The contract sum of at least one (1) of the projects referred to in sub-items (a), (b) or (c) above must exceed HK$45 Million (Where the contract sum is not in HK dollars, it shall be based on the current exchange rate of the HSBC Bank at the closing date of the EOI and prequalification submission).</td>
</tr>
<tr>
<td><strong>(2) Reference</strong></td>
</tr>
<tr>
<td><strong>2.1</strong></td>
</tr>
<tr>
<td>Letter(s) of Satisfaction from the employer(s) of their previous project(s).</td>
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<tr>
<td><strong>(3) Technical Resources</strong></td>
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<tr>
<td><strong>3.1</strong></td>
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<tr>
<td>Technical support representation in Asia, including emergency technical support; and</td>
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<td><strong>3.2</strong></td>
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<tr>
<td>Qualified and competent team composition and key personnel, including licensed engineering personnel with membership of relevant recognized professional associations.</td>
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6. **ANTICIPATED PROGRAMME**

The indicative timetable for the shortlisting of key domestic sub-contractors for the TSI Works and the award of the Main Contract is as follows and the Authority may amend the timetable from time to time.
7. SUBMISSION

7.1 Submission Lodgement and Closing Time

All EOI and prequalification submissions, (including the completed Forms A to H and supporting documents) must be sent by post or delivered by hand, and MUST reach the following address no later than 12:00 noon (Hong Kong Time) on the closing date 12 March 2014. Submissions will not be accepted via email or facsimile.

“Tender Box
West Kowloon Cultural District Authority
29th Floor, Tower 6
The Gateway, 9 Canton Road
Tsim Sha Tsui, Kowloon
Hong Kong”

Late submissions will not be accepted. Any new or additional information provided by applicants after their submission shall not be accepted or considered.

If a rainstorm black warning or typhoon signal No.8 or above is hoisted or remains hoisted between 9:00 a.m. and 12:00 noon on the closing date, the closing time will be extended to 12:00 noon (Hong Kong Time) on the next working day (working days: 9:00am-6:00pm Monday to Friday except public holidays) following the affected closing date.

The sealed envelope enclosing the submission should be clearly labelled “Submission in Response to the EOI and Prequalification for Theatre Systems Integrators for the Project of Xiqu Centre (Phase I) for the West Kowloon Cultural District Authority” and should bear the company name of the applicant or lead applicant.
7.2 Submission Requirements

The applicant or the lead applicant shall comply with the following conditions:

a) must include Hong Kong registered or international equivalent relevant professionals, who shall be familiar with trade practices, statutory and licensing requirements, codes and regulations;

b) must include members who have relevant prior experience and qualifications in provision of the type of services described in this EOI and prequalification document;

c) must respond to this EOI and prequalification process according to the assessment criteria and requirements set out in this EOI and prequalification document;

d) contractors entering into a joint venture or other form of formal collaboration may be considered but shall be limited to no more than four companies. Each company can only submit one EOI and prequalification submission, and one tender to the Main Contract tenderers after the shortlisting process. Please refer to the attachment “Form B” for detailed information required to be submitted with the EOI and prequalification submission;

e) should have been incorporated for a minimum of 12 years;

f) must declare by completing “Form F” any actual, potential or perceived conflict of interest or involvement which may arise with respect to the carrying out the TSI Works. Any involvement or interest declared shall be carefully considered but will not automatically bar the applicants from being further considered in the selection process; and

g) must complete and submit the Form of Expression of Interest (Form G).

Applicants who have submitted the EOI and prequalification submission shall be deemed to have fully agreed to and accepted the requirements, rules and conditions as set out in this EOI and prequalification document.

Applicants who do not abide by the rules, requirements or conditions as set out in this EOI and prequalification document may be disqualified. Any disqualification shall be at the absolute discretion of the Authority. The decision of the Authority shall be final and binding on all parties concerned.

Documents submitted in response to this EOI and prequalification document will not be returned. The Authority reserves the right to suspend, not to proceed with or to cancel this EOI and prequalification process without the giving of any explanation. The Authority shall not be bound to shortlist any applicants who have submitted the EOI and
Expressions of Interest (EOI) and Prequalification of Theatre Systems Integrator Key Domestic Sub-Contractors for the Xiqu Centre (Phase I), Project of WKCDA

prequalification submission, and reserves its absolute right not to include any applicants (whether or not it has submitted EOI and prequalification submission) in the list of shortlisted key domestic sub-contractors for the TSI Works in the Main Contract tender documents for selection. The Authority shall not be liable to pay any costs arising out of or incidental to any preparation and submission for, or enquiry about, or cancellation of the EOI and prequalification process. The Authority is under no obligation to discuss the evaluation result with any person. The Authority reserves its right to negotiate with any parties.

If the Authority becomes aware that a shortlisted key domestic sub-contractor has ceased to be able to meet the qualification requirements, then the Authority may, at its discretion, disqualify the shortlisted key domestic contractor from inclusion in the list of shortlisted key domestic sub-contractors in the Main Contract tender documents. In such case, the Authority may add another pre-qualified key domestic sub-contractor in the list. All shortlisted key domestic sub-contractors will be required to make a statement at the tender return for the Main Works Contract to confirm that there has been no material change in their qualifications.

7.3 EOI and Prequalification Submission

The objective of this EOI and prequalification is to provide the Prequalification Assessment Panel with a clear, concise and considered demonstration of the applicant’s credentials and ability to undertake the TSI Works for the Project. The EOI and prequalification submission should focus on how the applicant intends to address a project of this type, and its capability to manage and deliver the TSI Works.

The EOI and prequalification submissions will be evaluated according to the assessment criteria as detailed in Clause 8.2 of this document.

The EOI and prequalification submissions shall include the following:

(1) Project Experience

Proven experience shall be as required by Clause 5 of this document. The applicants should, upon obtaining consents from their respective clients, provide the following information about their previously completed projects or projects currently undertaken by them in Hong Kong and/or overseas: -

1. The name, location, use and nature of the project;
2. Key components of the TSI installation works (additional sheets may be used);
3. Amount of dimmers in each auditoria;
4. Completion year;
5. Name and contacts of the technical department head for reference;
6. Work experience with Government and/or public bodies;
7. Construction cost for the TSI installation works (Where the contract sum is not
in HK dollars, it shall be based on the current exchange rate of the HSBC Bank at the closing date of the EOI and prequalification submission);

8. Scope if the installation was for lighting only or included audio & video systems;

9. A minimum of seven (7) shop drawings taken from the applicant’s referenced projects indicating:
   a. A typical Lighting Outlet device panel;
   b. A typical Stage Managers Desk;
   c. A typical Worklight Station;
   d. A typical PSC or PV Outlet Device Panel;
   e. A typical Rack elevation;
   f. A Typical PSC or PV signal flow diagram;
   g. Containment Layout drawings in 3D; and

10. Example photographs or drawings (max 5 pages) of complex theatre technical areas that show multiple theatre systems for which the applicant or the lead applicant provided the specialist theatre coordination and integration services.

(2) References – Letter of Satisfaction and references provided by the main or principal contractors for employers of previous installations.

(3) Technical Resources

   i) Company Organisation Chart;
   ii) CV of key personnel and any key sub-sub-contractors that form the contractor’s team for the TSI Works, including PSV lead, PV lead and Theatre Lighting Lead;
   iii) Details of the post installation support services for the PSV, PV and Theatre Lighting Control System, indicating typical response time for attendance on site and location of the support staff.

7.4 Submission Format

Applicants are required to submit One original and Six hard copies (with two CD copies) of their submissions. Copies of the submissions should be marked with "COPY" on the covers and all submissions should be in A4 portrait format and a minimum font size of 12 with no more than 10 sheets printed double sided. Attached to each set of the submissions are the curriculum vitae of the key personnel to be employed for the Project (max. 2 pages per person), the organisation chart (1 page of A3 size), the letters of association, reference letters (if any), and Forms (A to H) with supporting documents (including additional sheets as allowed under the respective Form). Any excess pages in the submissions will be considered as evidence of inability to comply with submission requirements.
7.5 Language

The submission in response to this EOI and prequalification document is required to be in English.

8. SUBMISSIONS EVALUATION

8.1 Prequalification Assessment

The Authority will assess the applicants’ prequalification submissions and identify and shortlist suitable sub-contractors for inclusion in the list of shortlisted key domestic sub-contractors in the Main Contract tender document for the Main Contract tenderers’ selection when they submit the bid for the Main Contract for the Project.

The selection of shortlisted key domestic sub-contractors will be made in accordance with the Authority’s Procurement Procedures. Prequalification Assessment Panel will be set up to evaluate the prequalification submissions of the contractors.

8.2 Selection Criteria

The Authority will assess the prequalification submissions based on the following criteria:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weighting</th>
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<tbody>
<tr>
<td>(1) Project Experience</td>
<td>60%</td>
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<tr>
<td>Quality and relevance of the examples given in relation to theatre systems integrator works including technical examples as described in above item 7.3(1)</td>
<td></td>
</tr>
<tr>
<td>(2) Reference</td>
<td>20%</td>
</tr>
<tr>
<td>Degree of satisfaction from the employer(s) of their previous project(s)</td>
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<tr>
<td>(3) Technical Resources</td>
<td>20%</td>
</tr>
<tr>
<td>Availability and quality of proposed resources</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
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9. AMENDMENTS, ENQUIRIES AND AUTHORITY’S WEBSITE

9.1 Amendments

The Authority may amend this EOI and prequalification document from time to time and will post such amendment on the Authority’s website. The Authority will NOT separately
notify the applicants of any such amendment. Applicants are advised to check the Authority’s website from time to time for any new information or amendments.

9.2 Enquiries

Any enquiries about submission of the response to the prequalification document must be made formally before 12:00 noon 26 February 2014 (Hong Kong Time) in writing to the Authority by email in English to the following e-mail address. Verbal enquiries will not be entertained.

Email address for enquiries: rebecca.lin@wkcda.hk

9.3 Authority’s Website

Invitation and details of the EOI and prequalification can be found at the Authority’s Website at:

All requirements, terms and conditions as announced in the Authority’s website concerning the EOI and prequalification shall be binding upon all applicants.

The Authority shall not be responsible for any loss or damage whatsoever arising out of or in connection with the information provided in the Authority’s website and the applicants will be deemed to have made all necessary inquiries for the purpose of preparing their EOI and prequalification submissions.

10. INTELLECTUAL PROPERTY RIGHT

Contractors who are shortlisted to participate in the Stage 2 of the selection process shall retain the intellectual property in their EOI and prequalification submission, but shall by virtue of and in consideration of them being allowed to participate in the Stage 2 of the selection process be deemed to have granted to the Authority its authorized users, assigns and successors-in-title, without any fee an exclusive, irrevocable, royalty free, perpetual, freely assignable, world-wide license to use and modify or adopt the prequalification submission for any purpose of the Authority. The shortlisted sub-contractors shall not grant or assign any other or further such licence in respect of their EOI and prequalification submission or any part or component thereof to any other person, company or legal entity without the express written consent of the Authority.
To the extent that beneficial ownership of any intellectual property rights in any component of the prequalification submission is vested in a third party, the shortlisted sub-contractors shall procure at their own cost that the beneficial owner of such intellectual property rights shall grant to the Authority, its authorized users, assigns and successors-in-title, free of all fees, a non-exclusive, irrevocable, royalty free, perpetual, freely assignable, sub- licensable world-wide license to use the component of the prequalification submission for any purpose of the Authority.

11. CONFLICT OF INTEREST

Each applicant shall declare that to the best of its knowledge at the date of the EOI and prequalification submission, no conflict of interest exists or is likely to arise in the performance of its obligations under the Key Domestic Sub-Contract (KDSC) by itself, by its employees, or any sub-sub-contractors, if it is awarded with the Key Domestic Sub-Contract by the Main Contractor.

The applicant, if it is awarded the Key Domestic Sub-Contract by the Main Contractor shall and shall procure that its employees, associates or any sub-sub-contractors shall not, without the written consent of the Main Contractor and/or the Authority undertake any services or works which could give rise to real, potential or perceived conflicts with the performance of its obligations in undertaking the TSI Works for the Project.

12. GOVERNING LAW AND JURISDICTION

The Authority’s decision regarding all aspects of the EOI and prequalification process shall be final and binding on all parties concerned.

Any disputes and differences arising in connection with this EOI and prequalification and the tendering for the Main Contract for the Project shall be governed by the laws of the Hong Kong SAR for the time being in force.

13. CONFIDENTIALITY

The assessment process of the EOI and prequalification will be carried out in strict confidence. The Authority and management team of the Authority are under no obligation to disclose the details of the assessment. All applicants agree to waive any right to seek information or data about the assessment on their submission materials during or after the completion of the EOI and prequalification process. Any person, without prior written authorisation of the Authority, shall not disclose, exhibit or publish the submitted proposals or any materials related to the EOI or the prequalification in any form. Any unauthorised publicity or disclosure of any submitted proposal or any materials related to
the EOI or the prequalification by an applicant may result in disqualification of that submission. For the avoidance of any doubt, the Authority shall have the right to, and the applicants acknowledge and agree that the Authority shall have such right to, use the name and biographies of all individual applicants or participants and companies in connection with the publicity, advertising and promotion of the Project or this EOI and prequalification exercise and/or its results.

14. **SEVERABILITY**

If any provision herein is determined to be illegal or unenforceable by any court of competent jurisdiction or arbitrator, such provision shall be deemed to have been void ab initio without affecting the remaining provisions of the EOI and prequalification document.

15. **GENERAL PROVISIONS**

In this EOI and prequalification document unless the context otherwise requires:

(i) words importing the singular number shall include the plural and vice versa;
(ii) words importing any particular gender shall include all other genders; and
(iii) words importing the whole shall be treated as including a reference to any part of the whole.

**Attachments (Note: Forms A to H together with supporting documents must be included in the EOI and Prequalification)**

Form A – General Information  
Form B – Joint Venture or Consortium Data  
Form C – Project Experience  
Form D – Team Locations  
Form E – Schedule of Key Personnel of Design Management and Project Team  
Form F – Declaration Form  
Form G – Form of Expressions of Interest  
Form H – Enclosures and Certification of Response

Annex 1 – Personal Information Collection Statement

Appendix 1: WKCD Area Plan  
Appendix 2: WKCD Xiqu Centre (Phase I) - Site Plan
Appendix 3: Floor Plans and Sections of Theatre, Tea House, Seminar Hall, Broadcast Suite and Plaza.
Appendix 4: Drawings of “Theatre Areas and Performance related Spaces of the Project”
Appendix 5: Responsibility Matrix Table
If the applicant is a Joint Venture, Partnership, Consortium or other form of collaboration, each member of the Joint Venture, Partnership, Consortium or other form of collaboration should individually complete and submit Forms A to H, as appropriate.

1. Applicant’s Company/Firm Name:

Name(s) and title of Contact Person(s) to whom the EOI Documents may be addressed:

(Note: If the applicant is a Joint Venture etc., then contact information provided in Form B, Section C will be used as the Applicant’s contact by the Authority)

<table>
<thead>
<tr>
<th>Contact(s)</th>
<th>Job Title:</th>
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<tr>
<th>Address:</th>
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<tr>
<th>Telephone:</th>
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<th>Email:</th>
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2. Head Office Address (if different from 1 or 3):

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<th>Telephone:</th>
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<th>Email:</th>
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3. Hong Kong Office Address (if different from 1 or 2 above):

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<tr>
<th>Email:</th>
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</table>
4. Applicant’s Organisation:

4.1) Type of organisation (e.g. private company, public company, subsidiary, partnership, Joint Venture, consortium etc.):

4.2) Applicant's Status in Hong Kong (head office, branch, subsidiary, etc.):

4.3) Date and Country of Registration (provide for both the Applicant and the ultimate parent):

   Applicant: __________________________________________________________

   Ultimate Parent: ____________________________________________________

4.4) Commercial Registration:

   Applicant
   Date of Registration: ______________________________________________
   Registration Number: ______________________________________________
   Country of Registration: ____________________________________________
   Type of Registration (limited company, partnership, etc.):

   _________________________________________________________________

   Ultimate Parent
   Date of Registration: ______________________________________________
   Registration Number: ______________________________________________
   Country of Registration: ____________________________________________
   Type of Registration (limited company partnership, etc.):

   _________________________________________________________________

4.5) Hong Kong Registration:

   Does the Applicant have a current Hong Kong Business Registration Certificate?
   Yes ___ No ___

   If so, please provide the following information:

   Certificate No: ____________________________________________________
   Valid until: ________________________________________________________
Years registered in Hong Kong: ________________________________
Please include a copy of the Applicant’s HK Business Registration Certificate.

5. Legal and Financial Advisers:
   Please provide names and contact information for the applicant’s legal and financial advisers.

<table>
<thead>
<tr>
<th>Name of Adviser(s):</th>
<th>Contacts:</th>
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<tbody>
<tr>
<td>Legal:</td>
<td></td>
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<tr>
<td></td>
<td>Contact Person:</td>
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<td></td>
<td>Company Position:</td>
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<td>Tel:</td>
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<td>Email:</td>
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<td>Financial:</td>
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<td>Contact Person:</td>
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<td>Company Position:</td>
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<td>Email:</td>
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If not applicable, please specify in the space provided ________________________________

6. Applicant’s Main Business Activities. (please list and provide date first involved in such activity)

1. _________ Since: __________
2. _________ Since: __________
3. _________ Since: __________
4. _________ Since: __________

(please provide additional but brief details if dates or information above have been affected by company buy-outs, amalgamations, etc.)

7. Parent, Associate and Subsidiary Company Involvement:
If the Applicant is a subsidiary, associate or affiliate, what involvement (scope), if any, will the parent or other related companies have in the Project?

Please provide the names and addresses’ of associated companies which will be involved in the Project and the number of local and overseas professional personnel expected to be involved in the Project.

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>Address(ees):</th>
<th>No. of personnel involved: (please specify local and/or overseas)</th>
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</table>

How many employees in total does the Applicant have in:

Hong Kong: ________________________________

Elsewhere (by Jurisdiction): ________________________________
8. Corporate Structure of Parent, Associate, and Subsidiary Companies: Please provide a corporate tree that depicts the parent, affiliates, or any other subsidiaries of the applicant, and their relationships to each other and the applicant. For a JV or proposed JV, each partner should submit similar information.

9. Please provide details of any legal, civil or contractual action outstanding or threatened claim, distress, legal action, litigation proceeding, suit, prosecution, investigation, enquiry or arbitration which have been made against your organisation in the last 3 years.
A. Is this response being made on behalf of a Joint Venture (JV), Consortium, or other association of individuals/companies?  
Yes/No: ____________

If the answer is "Yes" to the above, please provide the information listed below, and the selected JV etc. information which is requested in each of the other Forms.

B. Is the JV etc. formally constituted by an agreement, letter of association, memorandum of understanding, or other such similar agreement?  
Yes/No: ____________

If the answer is "Yes" to the above, the Applicant must enclose a copy of the Agreement etc. with the completed forms. If no formal JV Agreement is in place, letters addressed to the director from each of the companies in the proposed JV should be submitted with the completed forms. Each letter must be signed by a director of the company, or another individual who has the authority to commit the company in such an arrangement. The letter of agreement should reflect that all parties to the agreement are jointly and severally liable for the obligations of the joint venture for any agreement entered into with the Authority.

C. JV/Consortium Specific Information:

The following information should be provided and completed by the Lead Member in the JV:

1. JV/Consortium (Agency) Name:

________________________________________________________

Name(s) and title of Contact Person(s) to whom Tender Documents and future correspondence may be addressed:

Contact(s): ____________________________________________

Job Title: ____________________________________________

Address: ____________________________________________

Telephone: __________________ Fax: ______________________

Email: ____________________________________________
2. **JV Office Address (if different from 1 or 3):**

   ____________________________________________________________

   Telephone: ________________    Fax: ________________
   Email: ______________________

3. **Local Hong Kong Address and Name of Contact Person(s) (if different than 1 and/or 2 above):**

   ____________________________________________________________

   Telephone: ________________    Fax: ________________
   Email: ______________________

4. **Names of JV/Consortium Members**

   **% share of JV by each Member**

   a. _________________________________________________________
   b. _________________________________________________________

5. **Name of Lead Member (Management Sponsor):**

   ____________________________________________________________

6. **Member/Holding Company of the JV/Consortium**

   Provide the name and country of registration of the immediate parent company and the ultimate holding company or parent of each member of the JV/Consortium.

   ____________________________________________________________
   ____________________________________________________________

7. **Type of proposed Joint Venture structure – incorporated/unincorporated:**

   Where incorporated, please state date and place of incorporation and the nature of presence in Hong Kong (branch, subsidiary, etc.) if applicable. Any incorporated joint venture will be considered as a separate entity and a full set of the data described in this pre-qualification form will be required both from the incorporated entity and each
of the participants in it.

8. Proposed distribution of management, financial and contractual responsibilities between the JV/Consortium partners.

9. Proposed allocation of work among the JV/Consortium members if different from question 8 above.

<table>
<thead>
<tr>
<th>Name(s) of JV Member(s)</th>
<th>Proposed Work</th>
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</table>
Table 1 – Project Experience (the contract sum of at least one (1) of the projects referred in below table must exceed HK$45 Million  (Where the contract sum is not in HK dollars, it will be based on the current exchange rate of the HSBC Bank at the closing date of the EOI and prequalification submission):

<table>
<thead>
<tr>
<th>Name &amp; Location of Project (please specify use/ nature)</th>
<th>Brief Project Description including the Scope and Nature of Theatre Systems Integrator Works: Main Components of the Installation (max 500 words per project, and 5 projects)</th>
<th>Scope of applicant’s involvement in the project and scale – eg lighting, Video and Audio Systems, Lead coordination role</th>
<th>Technical HOD of relevant Lighting or Sound, Video, department, with contact details, (please include Video, Audio and Lighting references)</th>
<th>Client / Employer Contact (please specify if it is government and/ or public bodies)</th>
<th>Scale &amp; Type of Auditorium &amp; Nos. of Seats (Max 100 words)</th>
<th>Year of Completion</th>
<th>Construction Cost of applicant’s involvement in the listed project (HKS); &amp; its currency if it is not in HK$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Location</td>
<td>Indicate if separate sheet is attached for this information - Y / N</td>
<td>Theatre Lighting – y/n Amount of Dimmers in Venue 1- Venue 2- Venue 3- Audio System – y/n Video System – y/n Lead Coordination Role- y/n</td>
<td>Include name Title</td>
<td>Include name Title</td>
<td>Seat Count Description</td>
<td>Year HK$</td>
</tr>
<tr>
<td>Name</td>
<td>Location</td>
<td>Indicate if separate sheet is attached for this information - Y / N</td>
<td>Theatre Lighting – y/n Amount of Dimmers in Venue 1- Venue 2- Venue 3- Audio System – y/n Video System – y/n Lead Coordination Role- y/n</td>
<td>Include name Title</td>
<td>Include name Title</td>
<td>Seat Count Description</td>
<td>Year HK$</td>
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</table>
## Expressions of Interest (EOI) and Prequalification of Theatre Systems Integrator Key Domestic Sub-Contractors for the Xiqu Centre (Phase I), Project of WKCDA

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Indicate if separate sheet is attached for this information</th>
<th>Theatre Lighting – y/n</th>
<th>Include name</th>
<th>Include name, Title</th>
<th>Amount of Dimmers in Venue 1, Venue 2, Venue 3</th>
<th>Audio System – y/n</th>
<th>Video System – y/n</th>
<th>Lead Coordination Role- y/n</th>
<th>Seat Count</th>
<th>Year</th>
<th>HK$</th>
<th>Or</th>
<th>Currency =</th>
<th>Amount=</th>
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</table>

**FORM C – PROJECT EXPERIENCE**

Page 2 of 3
West Kowloon Cultural District Authority

Expressions of Interest (EOI) and Prequalification of Theatre Systems Integrators for the Xiqu Centre (Phase I), Project of WKCUDA

FORM D – Team Locations

<table>
<thead>
<tr>
<th>1</th>
<th>TSI Works Contractor’s Team Setup and Location</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Company HQ location =</td>
</tr>
</tbody>
</table>

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<tr>
<th>2</th>
<th>Explain the applicant’s typical approach to this sort of project, how the designers and engineers and project team are structured and located and any other key elements of the way the applicant would execute the project. (max 1 page)</th>
</tr>
</thead>
</table>
|   | Indicate if separate sheet is attached for this information  
Y / N                                                                                                                                         |

<table>
<thead>
<tr>
<th>3</th>
<th>Identify any elements of the TSI Works which the applicant intends to sub-contract to another organization or person and confirm their experience, qualifications and technical experience. (max 4 pages)</th>
</tr>
</thead>
</table>
|   | Indicate if separate sheet is attached for this information  
Y / N                                                                                                                                         |
(1) Schedule of Key Personnel of design management and project team including any local registered structural/mechanical & electrical engineer, building services coordinator, project manager team members.
To : West Kowloon Cultural District Authority (“Authority”)

From: _______________________________ (Name of Applicant)

Date: _______________________________

Dear Sirs,

Re: EOI and Prequalification of Theatre Systems Integrators for the Xiqu Centre (Phase I), Project for the West Kowloon Cultural District (“Works”)

We refer to the above EOI and prequalification process for the Works.

1. This is to confirm that I/we* [have/do not have any]* direct or indirect financial, personal or other interests relating to or arising from the duties to be performed for the Works and which conflict or compete, or may appear to conflict or compete, with any interest of the Authority. I/We* also undertake that should such a conflict arise in future during the term of the contract for the Works with the Authority, I/we* will inform the Authority immediately. (If there is such a conflict, please provide details as an attachment to this Declaration.)

2. I/We* also declare that I/we* [have/do not have any]* outstanding or threatened claim, distress, legal action, litigation, proceeding, suit, prosecution, investigation, enquiry or arbitration which may have a bearing to my/our* performance of the Works. I/We* also understand that the Authority reserves the right to terminate the contract with me/us* if it is subsequently found that I/we* have the aforesaid instance that had not been disclosed to the Authority. (If there is such an instance, please provide details as an attachment to this Declaration.)
FORM F – DECLARATION FORM

3. I/We* also declare that I/we* [have/do not have any]* records of convictions under the Employment Ordinance, Employees’ Compensation Ordinance and the Immigration Ordinance or any other relevant ordinance which may have bearing to my/our* performance required for the Services for the 12-month period preceding the closing date for the submission of proposal. I/We* also understand that the Authority reserves the right to terminate the contract with me/us* if it is subsequently found that I/we* have such convictions that had not been disclosed to the Authority. (If there is such a conviction, please provide details as an attachment to this Declaration.)

4. I/We* undertake to hold in strict confidence of all information relating to the EOI, the prequalification or the Tender process for the Project or the Works that I/we* have access to or otherwise come to my/our* knowledge and not to divulge or disclose any such information without first obtaining the approval of the Authority and undertake not to take advantage of such information whether or not for personal gain.

5. I/We* undertake not to offer, solicit or accept, directly or indirectly, any Advantage® as defined under the Prevention of Bribery Ordinance, in connection with or arising from the EOI, the prequalification or the Tender process for the Project or the Works, unless with the prior consent of the Authority.

6. I/We* consent and hereby authorize the Authority to investigate and verify information, including our declaration provided in relation to this EOI and prequalification submission with any third parties.

Yours faithfully,

____________________________  
(Name and position of Signatory)

*Delete where inappropriate
“Advantage” under the Prevention of Bribery Ordinance, Cap.201, the Laws of Hong Kong SAR means:

(a) any gift, loan, fee, reward or commission consisting of money or of any valuable security or of other property or interest in property of any description;
(b) any office, employment or contract;
(c) any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
(d) any other service, or favour (other than entertainment), including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted;
(e) the exercise or forbearance from the exercise of any right or any power or duty; and
(f) any offer, undertaking or promise, whether conditional or unconditional, of any advantage within the meaning of any of the preceding paragraphs (a), (b), (c), (d) and (e), but does not include an election donation within the meaning of the Elections (Corrupt and Illegal Conduct) Ordinance (Cap 554), particulars of which are included in an election return in accordance with that Ordinance.
The Contractor shall submit the Form of Expression of Interest together with the prequalification submissions as requested.

**Form of Expression of Interest**

Our ref: 

**Date**

**West Kowloon Cultural District Authority**
29/F, Tower 6, The Gateway,  
9 Canton Road, Tsim Sha Tsui,  
Kowloon,  
Hong Kong

Dear Sir / Madam,

**Re:** West Kowloon Cultural District Authority  
Expression of Interest (EOI) and Prequalification of Theatre Systems Integrators for the Xiqu Centre (Phase I)  
Project of the West Kowloon Cultural District  
**Form of Expression of Interest**

We acknowledge receipt of your EOI and prequalification document dated 14 February 2014. We express our interest in the prequalification and tendering (if shortlisted) for the Theatre System Integrator Works and hereby submit the required prequalification submissions for the prequalification process for the Authority’s shortlisting of the key domestic sub-contractors for the Theatre Systems Integrator Works for the Xiqu Centre (Phase 1).

Yours faithfully,

*(signature of the applicant)*
1. Enclosures

The applicant shall include all EOI and prequalification submission documents listed below in its response. The entire set of documents listed below will serve as a checklist to assist the applicant to prepare a complete response. **Please note that Forms A to H and the required supporting documents must be submitted in the Prequalification Submissions.**

<table>
<thead>
<tr>
<th>List of Forms and Documents Submitted:</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>1.) Cover letter (including submission documents as per clause 7.3 other than the following).</td>
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</tr>
<tr>
<td>2.) Form A General Information Required (Include copy of Certificate of Incorporation or its equivalent (i.e. proof of incorporated status in the home jurisdiction) and Hong Kong Business Registration Certificate)</td>
<td></td>
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</tr>
<tr>
<td>3.) Form B (if applicable) Joint Venture or Consortium Data (include JV Agreement or Letters of Intent to form JV or other forms of collaboration)</td>
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<tr>
<td>4.) Form C - Project Experience</td>
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<td>5.) Form D –Team Locations</td>
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<td>6.) Form E - Schedule of Key Personnel of Design Management and Project Team</td>
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<td>7.) Form F – Declaration Form</td>
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<td>8.) Form G – Form of Expression of Interest</td>
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<td>9.) Form H – Enclosures and Certification of Response</td>
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<tr>
<td>10.) Supporting documents for above Forms</td>
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2. Certification of Response

This is to certify that the information provided in the Forms and Documents listed above pertaining to the Company are true and correct and that the signatory may be contacted for verification purposes.

Signature: ___________________________ Title: ___________________________
(Company Director or Similar)

Name: ___________________________ Date: ___________________________
West Kowloon Cultural District Authority

Expressions of Interest (EOI) and Prequalification of Theatre Systems Integrator Key Domestic Sub-Contractors for the Xiqu Centre (Phase I), Project of WKCDA

ANNEX 1
PERSONAL INFORMATION COLLECTION STATEMENT

All Personal Information or Data provided in the Prequalification Submission will be for evaluation of submission purpose.

Personal Information and Data include names of any personnel required for production under or as listed in the prequalification document and their relationships with the applicant, professional experience, qualifications, address and contact telephone number.

The Authority will not sell or disclose the Personal Information and Data to any non-affiliated third parties except to: (i) consultants, contractors or service providers who may provide services or are engaged to carry out any consultancy, management or administrative functions for and on behalf of the Authority; or (ii) any governmental authorities or regulatory bodies; or (iii) any third parties as may be required or permitted by law.

The provision of Personal Information or Data by the applicant in response to the prequalification document is voluntary. However, if the required information is not provided in the prequalification submission, the Authority may not able to process the prequalification submission further.

The applicant has the right to request access to and correction of the Personal Information or Data in accordance with the provisions of the Personal Data (Privacy) Ordinance (“PDPO”). Requests for access to or correction of the Personal Information held by the Authority should be addressed to:

Miss Rebecca Lin
West Kowloon Cultural district Authority
29/F, Tower 6, The Gateway
9 Canton Road, Tsim Sha Tsui
Kowloon, Hong Kong
Tel: 2200 0260   Fax: 2895 0016
Email: rebecca.lin@wkcda.hk

In accordance with the PDPO, the Authority may charge the applicant for a reasonable fee for processing any data access or correction requests.
APPENDIX 1
WKCD AREA PLAN

APPENDIX 1
WKCD AREA PLAN
APPENDIX 2

WKCD Xiqu Centre (Phase I) - SITE PLAN
APPENDIX 3

WKCD XIQU CENTRE (PHASE I) - FLOOR PLANS AND SELECTIONS OF THEATRE, TEA HOUSE, SEMINAR HALL, BROADCAST SUITE, AND PLAZA
APPENDIX 4

DRAWINGS OF ‘THEATRE AREAS AND PERFORMANCE RELATED SPACES OF THE PROJECT’
APPENDIX 5
RESPONSIBILITY MATRIX TABLE