

Invitation for Expression of Interest (“EOI”)
for Operating the “Tai Shui Hang – Ma Liu Shui – Tai Mei Tuk”
Kaito Ferry Services

Transport Department (“TD”) of the Government of the Hong Kong Special Administrative Region (“Government”) invites submissions from interested parties (“Proponent”) to indicate their interest in operating “**Tai Shui Hang – Ma Liu Shui – Tai Mei Tuk**” kaito ferry services (“Ferry Services”) under ferry service licence (“Licence”) to be issued by the Commissioner for Transport (“the Commissioner”) in accordance with the Ferry Services Ordinance (Cap. 104) (“Ordinance”).

2. The Ferry Services are expected to commence in **the 3rd quarter of 2024** or where circumstances so require, such later date as may be determined by the Commissioner in consultation with the prospective operator of the Ferry Services.

Purpose of invitation for EOI

3. This EOI exercise is not an invitation for application of Licence or a tender exercise, nor part of any of them. Neither this EOI exercise nor any submission received by the Government in response to this EOI exercise shall constitute an offer or form the basis of any contract in respect of the Ferry Services. The Commissioner has, under the Ordinance, the unfettered discretion in granting of the Licence. Nothing herein shall prejudice, restrict or in any way affect any of the Commissioner’s power or discretion under the Ordinance. The Government has the unfettered discretion in whether or not to proceed with selecting the operator of the Ferry Services by way of public tender and if so, whether or not to grant any applications so made in respect of the Ferry Services.

Submission of proposals

4. Each Proponent should submit its proposal comprising the following: -
(a) indicate its interest in providing the Ferry Services, in the form as

set out in Annex 1;

- (b) provide its particulars, including experience and competence in ferry operations and management, etc., in the form as set out in Annex 2; and
- (c) propose fares against the basic ferry service plan with frequency, a fleet of vessels, and a customer service plan which satisfies the minimum requirement as specified in Annex 3, in the form as set out in Annex 4.

5. The Proponent may provide any other relevant information and suggestions as it deems appropriate or necessary.

6. The specified forms (Annexes 1, 2 and 4) and information on the minimum service requirements (Annex 3) are available for collection **from 14 June 2024** during office hours (9.30 a.m – 1.00 p.m. and 2.00 p.m. to 5.30 p.m., Monday to Friday (except public holiday)) at the following address:

Transport Operations (New Territories) Division,
New Territories Regional Office,
Transport Department,
7/F, Mong Kok Government Offices,
30 Luen Wan Street, Mong Kok,
Kowloon

7. All EOI submissions should be placed in a sealed envelope clearly marked with “**EOI for Operating “Tai Shui Hang – Ma Liu Shui – Tai Mei Tuk” Kaito Ferry Services**” and should reach TD at the aforesaid address on or before **12:00 noon, 28 June 2024**. In case a tropical cyclone warning signal No. 8 or above is hoisted, or a black rainstorm warning signal or ‘extreme conditions’ is in force, for any duration between 9.00 a.m. (Hong Kong Time) and 12.00 noon (Hong Kong Time) on 28 June 2024, the closing time for submission will be extended to 12.00 noon (Hong Kong Time) on the following working day. **Late submissions will NOT be considered.** For the purpose of this paragraph, “working day” means a day excluding any Saturdays, general holidays within the meaning of the General Holidays Ordinance (Cap. 149), and a day on which a tropical cyclone warning signal No. 8 or above is hoisted, or a black rainstorm warning signal or ‘extreme conditions’ is in force, for any

duration between 9.00 a.m. and 12.00 noon.

Government's rights and disclaimers

8. By making a submission in response to this invitation for EOI, the Proponent shall be taken to have accepted all the terms of this invitation for EOI exercise.

9. The Government reserves the right to change any of the operational arrangements and any other specifications for the Ferry Services in considering any application of Licence or in any future tender exercise therefor, or to cancel this EOI exercise and not to consider any such application or conduct any such tender exercise or issue any Licence.

10. All costs and expenses involved in the preparation and submission of the EOI in response to this invitation shall be borne solely by the Proponent.

11. All information and statistics contained in this invitation (including the attached specified forms) are provided to facilitate the Proponent's preparation of their submissions only. The Government does not warrant or represent (whether expressly or impliedly) as to the correctness, accuracy, completeness, reliability, timeliness or fitness for a particular purpose of any such information and statistics. Nothing in this invitation and in any other written or oral information which is, has been or will be provided or made available to the Proponent should be relied on as a statement, warranty or representation by the Government. The Government does not accept any liability to any person howsoever caused by the use of or reliance on any such information and statistics. The Proponent should conduct its own independent assessment of the information and statistics contained in this invitation and seek professional advice if deemed necessary.

12. Under no circumstances would the Government be liable to any Proponent for any costs, expenses, loss or damage whatsoever arising out of or in connection with this invitation or any EOI submission, irrespective of whether the Government eventually proceeds with selecting the operator of the Ferry Services by way of public tender or issuing any License.

Personal data of the Proponent

13. The personal data of the Proponent and of any individual provided as part of the EOI submission (collectively referred to as “personal data” in this paragraph 13) will be used by the Government for the purposes of this invitation and all other purposes arising from or incidental to it (including for the purposes of processing the EOI submission, and all other purposes necessary for or directly related to the said purposes including but not limited to the resolution of any dispute arising from this invitation and/or the EOI submission and disclosure pursuant to paragraph 14 of this invitation).

14. By submission of an EOI, the Proponent acknowledges and consents and has ensured that the individuals who are the subject of personal data have acknowledged and consented that personal data provided may be disclosed to other Government bureaux and departments, the Legislative Council, the District Councils, the Area Committees, the Rural Committees, non-governmental organisations and data access applicants under the Code on Access to Information.

15. Nothing in paragraph 14 of this invitation will prejudice the Government’s power to disclose, whenever it considers appropriate, information of any nature whatsoever in relation to or concerning any Proponent or its EOI submission if the disclosure is made under any one of the following circumstances:

- (a) the disclosure of any information to any public officer or public body as defined in the Interpretation and General Clauses Ordinance (Cap. 1) or any other person employed, used or engaged by the Government (including agents, advisers, contractors and consultants);
- (b) the disclosure of any information already known to the recipient;
- (c) the disclosure of any information which is public knowledge;
- (d) the disclosure of any information in circumstances where such disclosure is required pursuant to any law of Hong Kong or an order of a court of Hong Kong or a court or tribunal with competent jurisdiction;

(e) the disclosure of any information regarding anti-competitive collusive conduct to the Competition Commission of Hong Kong (and other authorities as relevant); or

(f) without prejudice to the power of the Government under paragraph 14 of this invitation, to the extent the information relates to or concerns a Proponent, with the prior written consent of that Proponent.

16. The Proponent, the individuals who are the subject of personal data, and persons authorized respectively by the Proponent and such individuals in writing have the right of access and correction with respect to personal data as provided for in sections 18 and 22 of and Principle 6 of Schedule 1 to the Personal Data (Privacy) Ordinance (Cap. 486). The right of access includes the right to obtain a copy of the personal data provided in the EOI submission.

17. Enquiries concerning the personal data collected by means of this invitation, including the making of access and corrections, should be addressed to:

Access to Information Officer,
Transport Department Headquarters,
10/F, South Tower, West Kowloon Government Offices
11 Hoi Ting Road
Yau Ma Tei
Kowloon

Telephone No.: 3842 5574

Intellectual property rights

18. In making a submission, the Proponent shall be deemed to have granted, and shall upon the demand of the Government at the Proponent's cost, procure that the lawful owner or authorized person of the relevant intellectual property rights will grant, to the Government a licence to use, adapt and modify its EOI submissions and to otherwise exercise all intellectual property rights subsisting therein for all purposes in respect of or in connection with this invitation. "Use" includes doing any acts restricted by copyright set out in sections 22 to 29

of the Copyright Ordinance (Cap. 528). The Proponent shall, if required by the Government, do all things and execute all instruments or documents for the purpose of conferring such rights on the Government. Such right and licence shall continue to subsist so long as any intellectual property rights subsist in the EOI submissions under any applicable law, including the laws of Hong Kong.

Enquiry

19. Any enquiry in relation to this invitation should be made to:

Ms. Sonia LEE
Senior Transport Officer / Tai Po,
Transport Operations (New Territories) Division,
New Territories Regional Office,
Transport Department,
7/F, Mong Kok Government Offices,
30 Luen Wan Street, Mong Kok,
Kowloon
Telephone No.: 2399 2442
Facsimile No. : 2381 3799

Transport Department
June 2024

EOI Proposal to be Submitted by the Proponent

Indication of Interest

1. I/We*, (name of the Proponent), am/are* interested in providing “**Tai Shui Hang – Ma Liu Shui – Tai Mei Tuk**” Kaito Ferry Services (“Ferry Services”).
2. The indicative earliest date that I/we* may commence the Ferry Services is: (the date of service commencement).

Signed by the Proponent / Signed by
an authorized signatory for and on :
behalf of the Proponent*

Name of the authorized signatory :
(where applicable)

Title of the authorized signatory :
(where applicable)

Date :

* delete the inapplicable.

EOI Proposal to be Submitted by the Proponent

Particulars of the Proponent

(i) **Experience and Competence of the Proponent in Ferry Operations and Management**

1. Concise history and years of experience in the operation and management of ferry services (e.g. duration, service city(s), etc.)

2. List of all ferry services operated in the past three years

<u>Period</u>	<u>Routes</u>

3. Management structure, staffing establishment and strength of the Proponent

(Please use separate sheets if necessary)

(ii) Particulars of the Proponent

(a) Name of the Proponent :

(b) Address of the Registered Office:

(c) Telephone Number: _____

(d) Fax Number: _____

(e) Business Registration Certificate number
(if applicable): _____

(f) Certificate of Incorporation number (if applicable): _____

(g) Names of all Directors (please state on a separate sheet, if necessary
and applicable):

The following person(s) should be contacted for clarification of any matter concerning the Proponent's submission:

<u>Name and</u> <u>Post</u>	<u>Address</u>	<u>Telephone No.</u>		<u>Fax. No.</u>
		<u>During Office</u> <u>Hours</u>	<u>After Office</u> <u>Hours</u>	
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Basic Service Plan of Ferry Services

“Tai Shui Hang – Ma Liu Shui – Tai Mei Tuk”

(I) Operating days:

Saturdays, Sundays and Public Holidays

(II) Basic number of departures:

Saturdays, Sundays and Public Holidays

<u>From Tai Shui Hang (NP151)</u>		<u>From Ma Liu Shui (NP154)</u>		<u>From Tai Mei Tuk (NP031)</u>
11.00 am	→	11.15 am	→	12.00 pm
1.00 pm	←	12.45 pm	←	
	→	1.15 pm	→	2.00 pm
3.00 pm	←	2.45 pm	←	
	→	3.15 pm	→	4.00 pm
5.00 pm	←	4.45 pm	←	
	→	5.15 pm	→	6.00 pm
--	←	6.45 pm	←	

(III) Steaming time:

Not more than 120 minutes

(Journey Distance: about 4.3 nm)

(IV) Basic carrying capacity to be provided:

The proposed vessel(s) must have a carrying capacity (excluding crew) of not less than 40.

(V) Basic vessels requirements:

The proposed vessel(s) must meet the requirements of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and its sub-legislations, and must be Class I vessel(s) with valid operating licence and a certificate of survey in accordance with the Merchant Shipping (Local Vessels) (Certificate and Licensing) Regulation (Cap. 548D) and the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap. 548G).

The Proponent must, if required by and on such date(s) as specified by Government, at their own cost, arrange their vessels for inspection by the Government and carry out berthing trials to demonstrate that the vessels proposed to be deployed on the Ferry Services are suitable for operation and berthing safely at the berthing points.

(VI) Vessels facilities:

The proposed vessel(s) must be equipped with the Octopus fare collection device(s) if such device(s) is/are not recommended to be installed at the piers.

(VII) Customer Service

The Proponent must propose a customer service hotline, channels of receipt of complaints, enquiries and feedbacks, and working procedures for handling complaints, enquiries and feedbacks during the period of the Licence.

The Proponent is encouraged to provide innovative proposals (e.g. using information and communications technology, streamlined procedures/methods) to enhance the effectiveness and efficiency of the operation of the customer service hotline, channels of receipt of complaints, enquiries and feedbacks, and their practicability will be assessed.

EOI Proposal to be Submitted by Proponent

“Tai Shui Hang – Ma Liu Shui – Tai Mei Tuk”

A) Proposed Timetable

(a) Operative Days

(b) Berthing Points

	Berthing Points
XXX	
XXX	
XXX	
XXX	

(c) Departure Time

From XXX	From XXX	Frequency (minutes)

B) Proposed Fares Table

Proponent should state fares for different types of passenger/freight and the respective ticket types. If there are different fares for weekdays and Saturdays, Sundays and Public Holidays, or for single journey and multiple journey, the fares should be stated separately.

Types of Fare	Daily
Adult	\$_____
Child aged 3 years old or above and under 12 years old	\$_____
Passenger aged 65 or above (upon production of HKID card or senior citizen card)	\$_____
Passenger with disabilities (upon production of Registration Card for People with Disabilities)	\$_____
Bicycle	\$_____
Freight per cubic metre	\$_____
Monthly Ticket (if any)	\$_____
Others (please specify:_____)	\$_____
Participation in Public Transport Fare Subsidy Scheme	Yes / No*
Participation in the Government Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities	Yes / No*

(*Delete the inapplicable.)

C) Journey Distance and Journey Time

Berthing Points	Journey Distance (km)	Journey Time (min)

D) Details of proposed vessel(s)

(a) Vessel allocation/ Passenger Capacity

<u>Name of vessel</u>	<u>Passenger Capacity</u>	<u>Remarks</u> (please specify for each vessel whether it will be deployed as regular or spare vessel)

(b) Details of suggested type(s) of vessel(s)

(Proponent should separately provide the details for each suggested vessel and may provide additional information if deemed necessary.)

Items	Details
1. Name of vessel	
2. Certificate of ownership	
3. Name of owner (for existing vessels)	
4. Name of prospective owners (for new vessels)	
5. Vessel class & type	
6. Material of hull	
7. Year of construction (if under construction, state expected date of delivery to Hong Kong)	
8. Will the vessel be exclusively deployed on the Ferry Services (Yes/No)*	
9. Maximum carrying capacity (a) for passengers (b) for crew	
10. Overall Length	

* If NO, please give details of such part of the Ferry Services and any other ferry services on which the vessel will also be deployed on a separate page.

11.	Breadth	
12.	Displacement tonnage	
13.	Full load draft	
14.	Total number of propulsion engines, engine type and total power	
15.	Estimated fuel consumption (litre) per round trip of the Service	
16.	Maximum service speed (knots)	
17.	Approved radar equipment	
18.	Communication equipment/VHF Radio /mobile tel.	
19.	Public address system (fixed or portable)	
20.	Automatic identification system	
21.	If the vessel is equipped with environmental friendly engine in compliance with the NO _x emission as required under Cap. 413P/Part 3/Division 3, please provide details.	
22.	If the vessel is equipped with energy-saving facilities and / or environmental friendly facilities, please provide details.	

(c) Passenger facilities

Please state if you have the following passenger facilities in each vessel(s) deployed for the Ferry Service.

Items	Availability	Details
1. Toilets	Y / N *	
2. A/C facilities	Y / N *	
3. Provision of passenger luggage storage facilities/racks	Y / N *	
4. Free Wi-Fi	Y / N *	
5. Other passenger facilities (Please specify)	Y / N *	

*Delete the inapplicable.

E) Proposed Customer Service Plan

(a) Customer Service Hotline

Customer Service Hotline	Details
(a) Operating hours	
(b) Number of telephone lines	
(c) Manning level of the hotline	
(d) Length of time to be taken for picking up a waiting call	
(e) Customer service operators' proficiency in language (at least Cantonese, English and Putonghua)	
(f) Other innovative suggestions (e.g. using information and communications technology, streamlined procedures/methods), if any	

(b) Channels of Receipt of Complaints, Enquiries and Feedbacks

Channels of Receipt of Complaints, Enquiries and Feedbacks	Details
(a) Channels of receipt of complaints, enquiries and feedbacks from members of the public	
(b) Other innovative suggestions (e.g. using information and communications technology, streamlined procedures/methods), if any	

(c) Working Procedures for Handling Complaints, Enquiries and Feedbacks

Working Procedures for Handling Complaints, Enquiries and Feedbacks	Details
(a) Working procedures for investigation of complaints	
(b) Service pledge of response time	
(c) Analysis of feedback and follow-up action	
(d) Record of the complaints/enquiries/feedbacks statistics including the number and type of complaints/enquiries/feedbacks	
(e) Other innovative suggestions (e.g. using information and communications technology, streamlined procedures/methods), if any	