

Form A - Notice of Adjudication

PART I

Date of Notice served on the respondent:

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Name of nominating body*:

(1)		Respondent to select one (1) nominating body
(2)		

* Remarks:

- (i) If no nominating body is specified in the construction contract concerned as the nominating body for the payment dispute, **Claimant** must nominate 2 nominating bodies.
- (ii) If more than one nominating body is specified in the construction contract concerned for the selection of the nominating body for the payment dispute, **Claimant** must nominate 2 nominating bodies from the potential nominating bodies.
- (iii) **Respondent** must, within 5 working days after the date on which the adjudication notice is served on the respondent, select and indicate in the above boxes one of the nominating bodies from the claimant's nomination and serve a written notice on the Claimant to inform the Claimant of the nominating body selected by the Respondent.
- (iv) If the **Respondent** fails to inform the **Claimant** the selection, the **Claimant** must, within 3 working days after the expiry of the deadline mentioned above—
 - (a) select one of the nominating bodies from the Claimant's nomination; and
 - (b) serve a written notice on the Respondent to inform the Respondent of the nominating body selected by the Claimant.

PART II

1. Claimant's Details

Company:			
Contact Person:			
Address:			
Phone:		Fax:	
Email Address			

1A. Claimant's Representatives (if applicable)

Company / Firm:			
Contact Person:			
Address:			
Phone:		Fax:	
Email Address			

2. Respondent's Details

Company:			
Contact Person:			
Address:			
Phone:		Fax:	
Email Address			

2A. Respondent's Representatives (if applicable)

Company / Firm:			
Contact Person:			
Address:			
Phone:		Fax:	
Email Address			

3. Contract Details

Please indicate: ☐ Public Main contract ☐ Private Main contract ☐ subcontract (please also fill in Part 3A- Main Contract Details)	Please indicate: ☐ Works contract ☐ Supply contract, such as material/ plant/equipment, etc. ☐ Consultancy services ☐ Other service contract in relation to construction work: _____
Project Title or Reference (or a brief description of the project):	
Contract Number and a brief description of the contract made with Respondent:	
Contract Sum:	
Form of Contract ¹	
Contract is ☐ written/ ☐ oral/ ☐ partly written and partly oral.	

¹ (Examples, GCC for Building Works/ Civil Engineering works/E&M Engineering works; NEC Engineering and Construction Contract (ECC)/ Term Service Contract (TSC)/ Professional Service Contracts (PSC); HKIA/HKICM/HKIS Standard Form of Building Contracts; HKCA Standard Form Domestic Sub- contract)

3A. Main Contract Details *[If Claimant is subcontractor, please fill in below, if known.]*

☐ Public Main contract		☐ Private Main contract	
Contract Number and Title			
Contractor Name			
Contract Sum			
Contact Person and email			
Contract Administrator		Company Name:	
		Contact Person:	

4. Payment Claim: Claimed Amount HK\$_____.

5. Payment Response:

(a) **Admitted Amount** ☐ no; ☐ yes, HK\$_____.

(b) **Set-off / Deduction** ☐ no;

☐ amount agreed by the Claimant, HK\$_____.

☐ amount disagreed by the Claimant, HK\$_____.

6. Amount paid in relation to the payment dispute: HK\$_____.

7. Nature and Description of the Payment Dispute

☐ Claimed Amount is disputed in full ☐ Admitted Amount less than Claimed Amount ☐ Failure to pay Admitted Amount in full by the payment deadline of the progress payment ☐ Failure to payment response on or before payment response deadline <u>Payment Dispute involving:</u> ☐ Site measurement ☐ Valuation of works/services (including valuation of variations) ☐ Quality of works ☐ Time-related disputes (EOT / Delay / Disruption)
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8. Interest rate

Please indicate if interest rate for late payment is specified in the contract: ☐ no. ☐ yes, please indicate the interest rate [] % and the contractual provision: _____

9. Preference on Adjudicator*

- ☐ Senior Adjudicator [Reasons: _____]

☐ Language requirement: _____

☐ Others: _____

*HKICM reserves right to nominate and appoint an appropriate Adjudicator.

10. Optional List of Attachments (please provide two (2) sets of each attachment)

- ☐ Relevant Contractual Terms and Conditions (if applicable)

☐ Copy of Payment Claim

☐ Copy of Payment Response Received (if any)

☐ Copy of prior Assessments (if applicable)

☐ Other relevant documents (e.g., expert reports, photographs, etc.)

Please indicate [_____]

(use additional sheet if necessary)

Reminders for Claimant on subsequent “Adjudication Submission”:

Once the adjudicator is appointed, the claimant is required to submit the **adjudication submission** (the submission) **within one working day** after the date on which the claimant is informed of the appointment under Section 26(2)(b) or Section 27(5)(b) of the Ordinance. The submission should be concise with clear reference(s) and indicative label(s) to any annex(es), if any. An adjudication submission may contain any supporting documents and evidence that the Claimant considers relevant to the adjudication. Below is example of information that is typically required to facilitate the resolution of the payment dispute.

- The submission refers to a specific payment claim.
- a copy of the payment claim and payment response (if any) and record of completion of relevant claim handling procedure (if applicable).
- a copy of the contract payment schedule (if applicable).
- a copy of the relevant contract. If a written contract does not exist, a document referring to the terms of the verbal agreement.
- other relevant submissions (e.g. correspondence between the parties relating to the payment claim, previous invoices, expert reports).
- record on the service of notice of adjudication to the respondent.