

IN THE MATTER OF
COMMISSION OF INQUIRY INTO THE CONSTRUCTION WORKS AT AND UNDER THE HUNG HOM
STATION EXTENSION UNDER THE SHATIN TO CENTRAL LINK PROJECT
(FORMERLY COMMISSION OF INQUIRY INTO THE DIAPHRAGM WALL
AND PLATFORM SLAB CONSTRUCTION WORKS AT THE HUNG HOM STATION EXTENSION
UNDER THE SHATIN TO CENTRAL LINK PROJECT)

WITNESS STATEMENT OF CHIU CHUNG LAI

I, Chiu Chung Lai of 24/F and 25/F ADP Pentagon Centre, 98 Texaco Road, Tsuen Wan, Hong Kong, state as follows:

Introduction

1. I am duly authorised to make this witness statement on behalf of PYPUN-KD & Associates Limited ('**PYPUN-KD**'), in response to the requests set out in the three letters from Lo & Lo (the Solicitors for the Commission of Inquiry ('**Commission**')) dated 4 April 2019 to PYPUN-KD in relation to the North Approach Tunnels ('**NAT**'), South Approach Tunnels ('**SAT**') and Hung Hom Stabling Sidings ('**HHS**'). For convenience, I will adopt the terms and abbreviations as defined in the Witness Statement of Mak Yu Man dated 13 November 2018 ('**Mr Mak's statement**') and the Witness Statement Yueng Wai Hung also dated 13 November 2018 ('**Mr Yueng's first statement**').
2. I have read the statement of Mr Mak and the first statement of Mr Yueng, and agree with the content of both statements. I have also read the Second, Third and Fourth Witness Statements of Yueng Wai Hung ('**Mr Yueng's second statement**', '**Mr Yueng's third statement**' and '**Mr Yueng's fourth statement**' respectively) in final draft form, and agree with the content of those statements.
3. I am a director of PYPUN-KD, and am involved in the Shatin to Central Link project ('**Project**') as Deputy Project Manager – Programme Monitoring (Civil) of M&V Team of PYPUN-KD.
4. I have over 25 years of experience in civil and structural engineering works, from planning and schematic design to construction and maintenance, engaged in engineering design, construction supervision, quality assurance and project management. I am a Member of the Hong Kong Institution of Engineers, and have been a Registered Structural Engineer since 1993, an Authorised Person since 1995, a Registered Professional Engineer (Civil & Structural) since 1997 under the Buildings Ordinance (Cap 123). **Annex 1** hereto is a copy of my CV.


5. As Deputy Project Manager – Programme Monitoring (Civil) of M&V Team and supported by other team members, I am responsible for conducting programme audits, and assisting with cost monitoring by providing civil engineering input to the Cost Monitoring Team of the M&V Team.
6. Since about March 2018 when various problems in respect of Contract 1112 were first discovered, I have been in the PYPUN-KD team providing additional services to the RDO under the various supplementary engagements referred to below. In particular, since about February 2019, I have been the team leader/lead auditor for various aspects of the engagements supplementary to the M&V Agreement.
7. Matters stated herein are within my personal knowledge and are true.
8. I would like to describe below PYPUN-KD's work in relation to supplementary engagements.
9. The RDO engaged PYPUN-KD to carry out certain works not covered by the M&V Agreement.
10. As noted in paragraph 43 of Mr Yueng's first statement, on about 1 June 2018, PYPUN-KD was engaged by the RDO to carry out a check of RISC forms and QSP checklists for couplers, and a further and more comprehensive check of the site supervision records in relation to the construction of the EWL Slab of the SCL Hung Hom Station Extension on Contract 1112. The documents made available for inspection by PYPUN-KD, the RDO and the BO Team are identified in PYPUN-KD's report dated 12 December 2018 (**Annex 2** hereto, which is the finalised version of the draft reports at Annex 9 to Mr Yueng's first statement), namely:
 - 10.1 Inspection & Testing Plan (ITP) (prepared by Leighton and approved by the MTRCL), Leighton's 'Cast In-situ Concrete Quality Control Checklist – SCL' and corresponding Request for Inspection / Test / Survey Check (RISC) forms (prepared by Leighton and approved by MTRCL).
 - 10.2 Site Supervision Plans (SSP) (prepared by Leighton and MTRCL, and vetted by PYPUN-KD) for this area of the works and the corresponding supervision records.
 - 10.3 Quality Supervision Plan (QSP) and MTRCL's/Leighton's corresponding site supervision records for coupler installation at connection between EWL slabs and diaphragm wall panels. The QSP was submitted to the BO Team and the BO Team provided it to PYPUN-KD for vetting.
11. Checks of the records were undertaken in June, July and September 2018.
12. A number of other supplementary engagements were entered into between RDO and PYPUN-KD:
 - 12.1 Quality Checking for the Pre-completion Inspections and Technical Review for System and Integration Tests for the System-wide E&M Works for SCL Project Handover

- 12.2 Technical and Procedural Review on Non-Conformance Reports Submitted by MTRCL for SCL Project (Stage 1)
- 12.3 Extended Building Submission Review and Compliance (BSRC) Services for Hung Hom Station Extension of SCL Project
- 12.4 Verification of MTRCL's Site Supervision and Construction Control on SCL Project (Stage 1)
- 12.5 On-site Record Checking on RISC Form in Relation to Construction of North Approach Tunnel, South Approach Tunnel & Hung Hom Stabling Sidings of SCL (WC1112)
13. The supplementary engagements referred to at paragraphs 12.2, 12.3 and 12.5 above are of particular relevance to the Issues raised in Lo & Lo's three letters dated 4 April 2019 for NAT, SAT and HHS.
14. For the additional services referred to in paragraph 12.2 above, it could be seen from paragraph 2.1 of the brief dated 27 February 2019 (**Annex 3** hereto) that the additional work (that is, work not within the scope of the M&V Agreement) included *'to monitor the status of NCR Register and all NCRs (including the active and closed cases); to verify that investigation as well as necessary remedial and/or preventive measures were timely and effectively in place'*.
15. Paragraph 3.2 of the brief detailed the scope of the additional work to include *'monitoring on MTRCL's processing of all NCRs by adopting the "Check-the-checker" approach... carry out verification by conducting audits (including process and / or technical audits) to the activities / processes undertaken by MTRCL with respect to all NCRs...'*
16. For the additional services referred to in paragraph 12.3 above, it could be seen from paragraph 2.1 of the brief dated 14 March 2019 (**Annex 4** hereto) that the additional work included work *'for verification of the as-built conditions and the conditions of quality of works constructed under the Hung Hom Station Extension'*.
17. Paragraph 3.2 of the brief detailed the scope of the additional work to include various site inspections and: (a) opening up of various works – during the opening up at different stages the work would be put on hold so that it could be inspected by the Police, RDO, BD, MTRCL and PYPUN-KD, and subsequent to that the corresponding inspection forms would be signed (paragraph 3.2(g)), and (b) to check MTRCL's daily site records and test reports against the findings of the inspections and opening up (paragraph 3.2(h)).
18. The work to be carried out by PYPUN-KD were also set out in the two method statements attached to the brief, for verification of *'as-constructed condition'* and *'assurance of workmanship quality of coupler installation'*, which required PYPUN-KD to witness the carrying out of activities required for such verification work. PYPUN-KD did not itself verify *'as-constructed condition'* and

'workmanship quality of coupler installation', but were the 'eyes' and 'cameras' of the RDO in carrying out the witnessing work.

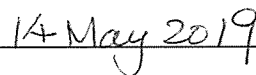
19. For the additional services referred to in paragraph 12.4 above, it could be seen from paragraph 2.1 of the brief dated 25 April 2019 (**Annex 5** hereto) that the additional work included work 'to verify by way of sample checking the completeness and traceability of MTRCL's construction control and site supervision through review of the construction and supervision records on the selected critical structural elements against the construction control and site supervision system of To Kwa Wan Station, Diamond Hill Station, Hin Keng Station, Tai Wai Station, Kai Tak Station and Sung Wong Toi Station to identify any irregularities such as irregular inputs, untimely or retrospective records.'
20. Paragraph 3.2 of the brief then stated the documents to be checked included RISC forms, TCP inspection records and material certificates. However, as stated in paragraphs 1.1 and 2.1 of the brief, the work does not cover Hung Hom Station (Contract 1112).
21. For the additional services referred to in paragraph 12.5 above, it could be seen from paragraph 3 of Part I: Introduction of the 'Notes on Preliminary Findings' dated 17 April 2019 (**Annex 6** hereto) that the objectives of the on-site record checking were to: (a) check for completeness of RISC forms, (b) identify any irregularities, and (c) report the findings. A report based on these preliminary findings is being prepared by PYPUN-KD, and anticipated to be available in about mid-May 2019.

Signed:



Chiu Chung Lai

Date:



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Dated the 14th day of May 2019

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