



**SECURITIES AND  
FUTURES COMMISSION**  
證券及期貨事務監察委員會

## **Invitation to Tender**

### **Contract Senior Business Systems Analyst**

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7 August 2019

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## Purpose

1. The purpose of this Invitation to Tender (Notice) is to invite prospective service providers / recruitment agencies (Agency) to submit a proposal to provide a professional in the capacity of Contract Senior Business Systems Analyst.

## The position

2. The Contract Senior Business Systems Analyst (the Position) is responsible to plan and execute business analysis and project management activities for the Information Technology (IT) department.
3. The Position will be on a 8-month secondment contract (from September 2019 to April 2020), with an option to extend upon contract expiry.

## Requirements

4. University graduate in technology or business related disciplines.
5. Minimum 6 years of experience in IT related projects and business requirement analysis, preferably in the financial sector or regulatory environment.
6. Good project management skills in leading IT projects with good influencing and communication skills to drive for consensus and progress with different stakeholders.
7. Assertive in making reasonable and firm judgements to achieve planned project objectives and results, from ideas formulation to implementation.
8. Good Chinese and English, both written and verbal, and able to articulate ideas and issues in laymen terms.
9. Experience in UX design and be able to create wireframes, prototyping and illustrations is an advantage.
10. Strong technical know-how in case management and workflow related system implementation, web-based solutions, document management systems and business intelligence, etc.
11. Relevant experience/Certified qualifications in standards and methodologies, e.g. PMP and Agile, is a plus.

## Responsibilities

12. Coordinate and lead IT projects in different sizing as a project manager and/or a business analyst depending on necessity.
13. Coordinate and engage with different stakeholders, including business users and vendors, from feasibility study, implementation and benefit realisation.
14. Initiate, liaise and negotiate with users to reach consensus on the requirements, delivery schedule and resource commitment.
15. Conduct business impact analysis, technical solution design and change management.
16. Provide technical consultancy and IT solution support to different IT teams and business users.

## Terms and conditions

17. 8-month contract period on full-time basis starting from September 2019, with an option to extend upon contract expiry. Subject to the candidates' availability, the Securities and Futures Commission (SFC) may choose to start the contract at an earlier or a later date.
18. Payment will be made on a monthly basis in arrears.
19. The Agency shall only bill the SFC for the gratuity payment (if applicable) upon the end of the contract period with the conditions that all the contractual terms have been fulfilled, and the end of contract performance evaluation of the successful candidates are satisfactory.
20. The successful candidate is required to sign an undertaking statement to abide to the SFC's Staff Code of Conduct. He/She will also be subject to background vetting by the police and ICAC, and required to disclose his/her local securities and futures investment portfolio and ongoing transactions to the SFC.
21. In addition to public holidays, the successful candidate shall entitle to a minimum of 8 days of paid leave within the 8-month contract period. Leave applications will require approval by the reporting supervisor(s).
22. The appointed Agency shall bear full responsibility of the welfare of the successful candidate contracted to the SFC. For proposal evaluation purpose, Agency should state clearly in the proposal the fringe benefits (e.g. provident fund, bonus) and any other measures offered to the candidate.

## Proposal format

23. The proposal should include but not limited to:

- 22.1 an offer letter;
- 22.2 the company's latest audited accounts/financial statement;
- 22.3 any exceptions to the requirements;
- 22.4 detail CV of each proposed candidate, including the earliest available date;
- 22.5 fees quotation.

## Fee quotation format

24. The fees quotation must be submitted in the following prescribed format. Unless otherwise specified, the default currency is Hong Kong Dollar (HKD).

Sample:

	(a)	(b)	(c)	(d)	(e)	(f)	
Name of candidates	Candidate's monthly take home pay (incl. employee's MPF contribution)	Agency's monthly charge (incl. employer's MPF contribution)	Total monthly fee [a+b]	End contract candidate's take home gratuity pay <sup>^</sup>	End contract Agency's charge on gratuity <sup>^</sup>	Total contract cost [c*12+d+e]	Total % of Agency fee [(b)*12+(e)/(f)]
Mr. A	\$30,000	\$4,500	\$34,500	\$50,000	\$5,000	\$469,000	12.6%
Ms. B	\$40,000	\$4,000	\$44,000	\$0	\$0	\$528,000	9.09%
Mr. C	\$35,000	\$3,500	\$38,500	\$0	\$0	\$462,000	9.09%
Ms. D	\$45,000	\$4,000	\$49,000	\$60,000	\$10,000	\$658,000	8.81%

<sup>^</sup> Agency should provide details or the nature of the gratuity pay, e.g. bonus, cash incentives, performance pay, etc. This will be a one-time payment upon the contract expiry.

***\*Fee quotation not provided in the above prescribed format will be disqualified\****

## Confidentiality

25. All information presented in or as a result of this Notice, including information disclosed by the SFC during the selection process, is to be considered strictly confidential. Information must not be released to external parties without the express written consent of the SFC.
26. All responses and other materials submitted in response to this Notice will become the property of the SFC. The SFC assumes no obligation and shall incur no liability regarding confidentiality of all or any portion of a response or any other material submitted in response to this Notice unless expressly agreed in writing to protect specifically identified information.
27. **Submission without a signed copy of the Confidentiality Acknowledgement (Appendix A) will not be considered.**

## Conflict of interest

28. If the Agency or any of the proposed candidates have any interest which conflicts, or has the potential to conflict, with its duties to the SFC under the proposal, the Agency should clearly state this in its proposal. This requirement extends to the Agency's associates, associated persons, group companies and each member of the Agency's professional staff (and their associates and associated persons).

## Prevention of bribery

29. The Agency shall prohibit its directors, employees, agents, and sub-contractors who are involved in this Notice from offering, soliciting or accepting any advantage as defined in the Prevention of Bribery Ordinance, Cap 201 when conducting business in connection with this mandate.
30. The Agency shall take all necessary measures (including by way of a code of conduct or contractual provisions where appropriate) to ensure that its directors, employees, agents and sub-contractors are aware of the prohibitions in this clause.

## How to submit proposal

31. If your company is interested in providing the service, please submit one hardcopy of the proposal in a sealed plain envelope bearing no logo, and a softcopy on a CD/DVD. The softcopy should be saved in Adobe Acrobat format, i.e. PDF.
32. The proposal package should be marked with the reference "Contract Senior Business Systems Analyst" and reach us before **2:00pm, Wednesday, 28 August 2019** at:

Tender Box  
Securities and Futures Commission  
30<sup>th</sup> Floor, Cheung Kong Center  
2 Queen's Road Central  
Hong Kong

Please note that the SFC will not accept late proposals. In case of enquiries, please contact the following responsible officer:

Ms. Yvonne Yip  
Manager  
Information Technology, Corporate Affairs  
Telephone : (852) 2231 1831  
Email : myyip@sfc.hk

*Agency not contacted for an interview arrangement within two weeks from the Notice closing date may consider their bid unsuccessful.*

## Appendix A – Confidentiality Acknowledgement

### Acknowledgement and Undertaking

Acknowledgment in relation to the preservation of secrecy pursuant to section 378 of the Securities and Futures Ordinance (Chapter 571 of the Laws of Hong Kong) (“**SFO**”) and avoidance of conflict of interests pursuant to section 379 of the SFO.

Terms in this acknowledgement shall have the same meaning as defined in the SFO, unless otherwise defined herein.

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**Section 378 of the SFO binds you and in particular subsection (1) of that section which provides as follows:**

- (1) Subject to subsection 13(A), except in the performance of a function under, or for the purpose of carrying into effect or doing anything required or authorized under, any of the relevant provisions, a specified person -
- (a) shall preserve and aid in preserving secrecy with regard to any matter coming to his knowledge by virtue of his appointment under any of the relevant provisions, or in the performance of any function under or in carrying into effect any of the relevant provisions, or in the course of assisting any other person in the performance of any function under or in carrying into effect any of the relevant provisions;
  - (b) shall not communicate any such matter to any other person; and
  - (c) shall not suffer or permit any other person to have access to any record or document which is in his possession by virtue of the appointment, or the performance of any such function under or the carrying into effect of any such provisions, or the assistance to the other person in the performance of any such function under or in carrying into effect any such provisions.

**TAKE NOTICE THAT IF YOU CONTRAVENE SECTION 378(1) OF THE SFO YOU COMMIT AN OFFENCE UNDER SECTION 378(10) OF THE SFO. ANY PERSON WHO COMMITS AN OFFENCE UNDER SECTION 378(10) IS LIABLE:**

- (a) on conviction on indictment to a fine of HK\$1,000,000 and to imprisonment for two years; or
- (b) on summary conviction to a fine of HK\$100,000 and to imprisonment for six months.



**Section 379 of the SFO binds you and in particular subsections (1), (2) and (3) of that section which provide as follows:**

(1) Subject to subsection (2), any member of the Commission or any person performing any function under any of the relevant provisions shall not directly or indirectly effect or cause to be effected, on his own account or for the benefit of any other person, a transaction regarding any securities, structured product, futures contract, leveraged foreign exchange contract, or an interest in any securities, structured product, futures contract, leveraged foreign exchange contract or collective investment scheme -

- (a) which transaction he knows is or is connected with a transaction or a person that is the subject of any investigation or proceedings by the Commission under any of the relevant provisions or the subject of other proceedings under any provision of the SFO; or
- (b) which transaction he knows is otherwise being considered by the Commission.

(2) Subsection (1) does not apply to any transaction which a holder of securities or a structured product effects or causes to be effected by reference to any of his rights as such holder -

- (a) to exchange the securities or structured product or to convert the securities or structured product to another form of securities or structured product;
- (b) to participate in a scheme of arrangement sanctioned by the Court of First Instance under the Companies Ordinance (Cap. 622) or the relevant Ordinance;
- (c) to subscribe for other securities or another structured product or dispose of a right to subscribe for other securities or another structured product;
- (d) to charge or pledge the securities or structured product to secure the repayment of money;
- (e) to realize the securities or structured product for the purpose of repaying money secured under paragraph (d); or
- (f) to realize the securities or structured product in the course of performing a duty imposed by law.

(3) Any member of the Commission or any person performing any function under any of the relevant provisions shall forthwith inform the Commission if, in the course of performing any function under any such provisions, he is required to consider any matter relating to -

- (a) any securities, futures contract, leveraged foreign exchange contract, structured product, or an interest in any securities, futures contract, leveraged foreign exchange contract, collective investment scheme or structured product -
  - (i) in which he has an interest;
  - (ii) in which a corporation, in the shares of which he has an interest, has an interest; or
  - (iii) which -
    - (A) in the case of securities, is of or issued by the same issuer, and of the same class, as those in which he has an interest;

- (B) in the case of a futures contract, is interests, rights or property based upon securities of or issued by the same issuer, and of the same class, as those in which he has an interest; or
  - (C) in the case of a structured product, is interests, rights or property based on a structured product of or issued by the same issuer, and of the same class, as that in which he has an interest; or
- (b) a person -
- (i) by whom he is or was employed;
  - (ii) of whom he is or was a client;
  - (iii) who is or was his associate; or
  - (iv) whom he knows is or was a client of a person with whom he is or was employed or who is or was his associate.

TAKE NOTICE THAT IF YOU CONTRAVENE SECTION 379(1) AND/OR SECTION 379(3) OF THE SFO YOU COMMIT AN OFFENCE UNDER SECTION 379(4) OF THE SFO. ANY PERSON WHO COMMITS AN OFFENCE UNDER SECTION 379(4) IS LIABLE:

- (a) on conviction on indictment to a fine of HK\$1,000,000 and to imprisonment for two years; or
- (b) on summary conviction to a fine of HK\$100,000 and to imprisonment for six months.

The term “specified person” is defined in section 378(15) of the SFO and means-

- (a) the Commission;
- (b) any person who is or was a member, an employee, or a consultant, agent or adviser, of the Commission; or
- (c) any person who is or was -
  - (i) a person appointed under any of the relevant provisions;
  - (ii) a person performing any function under or carrying into effect any of the relevant provisions; or
  - (iii) a person assisting any other person in the performance of any function under or in carrying into effect any of the relevant provisions.

The term “person” has the meaning attributed to it in section 3 of the Interpretation and General Clauses Ordinance (Cap. 1) which provides that “person” includes any public body and any body of persons, corporate or unincorporate, and this definition shall apply notwithstanding that the word “person” occurs in a provision creating or relating to an offence or for the recovery of any fine or compensation.

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I/We acknowledge that I/we have received and read carefully a copy of sections 378 and 379 of the Securities and Futures Ordinance (Cap. 571), and understand that these sections (in particular, sections 378(1) and 379(1), (2) and (3)) impose statutory obligations on me/us. I/We further confirm that I/we understand and agree to be bound by the provisions of sections 378 and 379 of the Securities and Futures Ordinance (Cap. 571).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name / Entity name (as applicable)

\_\_\_\_\_  
Name of authorized signatory (in the case of an entity)

\_\_\_\_\_  
Title of authorized signatory (in the case of an entity)

\_\_\_\_\_  
Date

**Witnessed by:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date