

## Tender Clarification Register - Commercial

<b>Subcontract No:</b> 100120/2	<b>Tenderer:</b> [REDACTED]
<b>Project:</b> Construction of Gloucester Reservoirs & Associated Mains	<b>Rev:</b> 0
<b>Title:</b> Construction of Gloucester Reservoirs & Associated Mains	<b>Date:</b> 11/02/2021

Item No.	Section / Clause	Date	Comment By	Exception / Clarification	Status (Open/Closed)
<b>COMMERCIAL CLARIFICATIONS</b>					
1.	Consequential Loss  <b>New Clause</b>	11/02/21	[REDACTED] [REDACTED]	<p>[REDACTED] [REDACTED] requests the insertion of the following new clause:</p> <p><b>“Consequential Loss</b></p> <p><i>The Contractor and the Principal will not be liable to each other for any Consequential Loss suffered by the Contractor or the Principal arising out of or in connection with the Contract.</i></p> <p><i>Consequential Loss means loss of profits, loss of production, loss of revenue, and loss of business opportunities, or any special, contingent or penal damages.”</i></p>	OPEN
			CLIENT		
2.	Extension of Time for Practical Completion  <b>Clause 35.5</b>	11/02/21	[REDACTED] [REDACTED]	<p>[REDACTED] [REDACTED] requests the insertion of the following new events under clause 35.5(b):</p> <p style="margin-left: 20px;">xii. <i>Force Majeure events meaning war, civil war, armed conflict or terrorism, nuclear, chemical or biological contamination unless the source or the cause of the contamination is the result of the conduct of the Affected Party or its Personnel, riot, commotion, epidemic, disorder, strike or lockout by persons other than the Affected Party or its Personnel, natural catastrophes such as a cyclone, earthquake, hurricane, fires, typhoon or volcanic activity, storm, floods etc);</i></p> <p style="margin-left: 20px;">xiii. <i>Delays caused by inclement weather; and</i></p>	OPEN

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				<i>xiv. Delays caused by COVID</i>	
			CLIENT		
3.	Liquidated Damages  <b>Clause 35.6</b>  <b>Annexure Part A</b>	11/02/21	[REDACTED]	[REDACTED] notes that the existing cap for liquidated damages is [REDACTED] of the Contract Sum. [REDACTED] assumes that [REDACTED] was inserted in error, and requests for this to be changed to [REDACTED] of the Contract Sum.	OPEN
			CLIENT		
4.					