| Clause | Remarks/Guidelines |
| --- | --- |
| **GCT 38 Weighting factors in the Schedule of Percentages** |
| 1. The tenderer acknowledges that the weighting factors shown in the Schedule of Percentages in the Contract Data Part two are used for the purpose of tender assessment. The tenderer acknowledges and confirms that its tender has not been taken in reliance on the weighting factors or any representations, warranties or statements (expressed or implied) of any kind made by or on behalf of the *Client* with respect to the accuracy, appropriateness, completeness, sufficiency or otherwise of the weighting factors.
 | # Insert appropriate clause reference. |
| 1. The *Client* does not give any representation, warranty or guarantee that the weighting factors or any part thereof bears any relation to the actual proportion of any item of work to the *service*. Neither the *Client* nor its agents or representatives have or accept any liability, obligation or responsibility whatsoever for any loss or damage (including without limitation any consequential loss or damage) however arising from or in respect of any use or misuse or reliance on the weighting factors. Without prejudice to the generality of the foregoing provision, the *Contractor* shall not be entitled to any compensation event or additional payment in the event that the actual proportion of any item of work to the *service* differs, substantially or otherwise from the weighting factors or any part thereof.
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| 1. The attention of the tenderer is drawn to Clause [A9]# of the *additional conditions of contract*.
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