

SPECIMEN SPECIAL CONDITIONS OF CONTRACT

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<u>SCC Ref.</u>	<u>Content</u>	<u>Related GCC</u>	<u>Related TC/Memo/Reference</u>	<u>Date of Issue of SCC/Memo</u>
1	Care of Works	21(1)	D&B Admin. Procedures (1999 Edition)	DECEMBER 1999
2	Definitions	1(1)	ETWB TCW No. 18/2000A WBTC No. 18/2000	FEBRUARY 2003
3	(Not Used)	-	-	-
4	Duties and powers of the Supervising Officer's representative	2	WBTC 18/2000	SEPTEMBER 1999
5A & 5B	Quality assurance for structural concrete	-	ETWB TCW No. 57/2002	DECEMBER 2002
6	Sectional commencement	1, 21, 47, 48 & 49	WBTC No. 12/93	MARCH 1993
7	Section Subject to Excision	47	LWBTC No. 6/89 WBTC No. 5/2000 SDEV's memo ref.(02B2H-01-5) in DEVB(W) 510/10/01 dated 9.3.2011	MARCH 2011
8	Delayed possession of Portions of the Site	48	WBTC 18/2000	MARCH 1988
9A, 9B, 9C & 9D	Deletion of extensions of time for inclement weather	50	WBTC No. 26/98 WBTC No. 18/2000	SEPTEMBER 1999

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10A & 10B	Deletion of contract price fluctuations	89	ETWB TCW No. 21/2003 SDEV's memo ref. DEVB(PS) 107/3 dated 18.7.2008	JULY 2008
11	Care of the Works insurance	21	ETWB TCW No. 7/2005	JUNE 2005
12	Third party insurance	22	ETWB TCW No. 7/2005	JUNE 2005
13	Third party claims in respect of damage on and to agricultural lands	22(1) 83	WBTC No. 28/92	SEPTEMBER 1992
14A to 14C	Sub-contracting	4	S for W's memo ref. WB(W) 209/32/110 dated 23.3.2001 and 2.5.2001	MARCH 2001
15	(Not Used)			
16	Definitions (Landscape Works)	1(1)	WBTC 18/2000	MARCH 1988
17	(Not Used)			
18	Completion of Landscape Softworks and commencement of Establishment Works	53(5)(b)	-	MARCH 1988
19	Refuse containment booms	82	WBTC No. 10/92	MAY 1992
20	(Not Used)			
21	(Not Used)			

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22	Works in the vicinity of the Kowloon-Canton Railway	-	ETWB TCW No. 2/2005	FEBRUARY 2005
23	Safety Plan	-	WBTC No. 18/2000 (from WBTC No. 32/99, WBTC No. 21/99, WBTC No. 30/2000 & WBTC No. 30/2002) SCC provisions in Appendix II(a) to Chapter 3 of Contractor Site Safety Manual Ref: "Revision to Contractor Site Safety Manual" in SDEV memo ref. (01S44) in DEVB(W) 516/71/01 dated 28.5.2008	MAY 2008
24	Independent Safety Audit	1(1)	WBTC No. 32/99	DECEMBER 1999
25	Qualified Tradesmen and Intermediate Tradesmen	1(1), 18(1), 39(1)	WBTC No. 13/2002 SDEV's memo ref. (01M97-01-4) in DEVB(PS)105/64/1 on 17.12.2007	DECEMBER 2007
26	(Not Used)			
27	Assessment of liquidated damages	52	ETWB TCW No. 4/2003	JANUARY 2003
28	(Not Used)			
29	(Not Used)			
30	Passes	41	D&B Admin. Procedures (1999 Edition)	DECEMBER 1999
31	Contractors' joint venture	-	ETWB TCW No. 50/2002 (as amended in SETW's memo ref. (01656-01-3) in ETWB(W) 511/34/01 dated 4.8.2006	AUGUST 2006
32	Year 2000 warranty for Contract Computer Facilities	-	ETWB TCW No. 12/2004	JUNE 2004

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33A & 33B	Security or sureties	12	WBTC No. 10/97 10/97A	AUGUST 1997
34	(Not Used)			
35	Disturbance to the progress of the Works	63	WBTC 18/2000	JANUARY 2000
36	Ordering variation during the Maintenance Period/Defects Liability Period	60	S for W's memo ref. WB(W) 209/32/110 dated 15.5.2001 & 17.5.2001	MAY 2001
37	Interim certification after determination	81	WBTC No. 11/2001	MAY 2001
38A & 38B	Completion date of certificate of completion -Tests on completion of the Works	1(1), 21(1), 50(1) & 53	S for W's memo ref. WB(W) 250/32/32 dated 6.7.2001	JULY 2001
39	Power to accept unremedied defect	46	S for W's memo ref. WB(W) 250/32/32 dated 12.9.2001	SEPTEMBER 2001
40	Contract information to be used for cost estimation or cost analysis for the Employer's other works	8	WBTC No. 3/2002	JANUARY 2002
41	Site cleanliness and tidiness	38	DEVB TCW No. 8/2010	NOVEMBER 2010
42	Works Programmes and Monthly progress reports	16	D&B Admin. Procedures (1999 Edition)	DECEMBER 1999
43	Computer aided drafting standard for Works Projects	-	ETWB TCW No. 38/2002 & 38/2002A	MAY 2005

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44	Management of Sub-contractors	4	ETWB TCW No. 47/2002 As modified by “Enhancement Measures for Subcontractor Management Plan (SMP)” in SDEV’s memo ref. () in DEVB(W) 109/11/01 Pt. 9 dated 19.12.2008	DECEMBER 2008
44A	Payment for Sub-contractor Management Plan	-	ETWB TCW No. 47/2002 As modified by “Enhancement Measures for Subcontractor Management Plan (SMP)” in SDEV’s memo ref. () in DEVB(W) 109/11/01 Pt. 9 dated 19.12.2008	DECEMBER 2008
45	Joint and several liability of partners and unincorporated joint venture participants	11	ETWB TCW No. 5/2003	JANUARY 2003
46	Milestone payment	1, 46, 48, 52, 56, 58, 63, 78, 79, 88	D&B Admin. Procedures (1999 Edition)	DECEMBER 1999
47	Employment of Technician Apprentices and Building & Civil Engineering Graduates by Contractors of Public Works Contracts	-	ETWB TCW No. 12/2003 (use when contract sum exceeds \$50M)	JUNE 2003
48	Land (Miscellaneous Provisions) (Amendment) Ordinance – Permits for Excavation Works under Land (Miscellaneous Provisions) Ordinance Cap. 28		SDEV’s memo ref. (02B0P-01-7) in DEVB(W) 510/70/01 dated 18.3.2011	March 2011
49	Confidentiality clauses	8	ETWB TCW No. 29/2003	OCTOBER 2003
50	Information not to be divulged	8	ETWB TCW No. 3/2004	JANUARY 2004
51	Ethical commitment	37	ETWB TCW No. 3/2004	JANUARY 2004
52	Contractor’s interim statements	78	ETWB TCW No. 3/2004	JANUARY 2004

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53	Acknowledgement of being notified of the ethical requirements	-	ETWB TCW No. 3/2004	JANUARY 2004
54	Marking Scheme in Tender Evaluation New D&B Procedures		D&B Administrative Procedures 2014	AUGUST 2014
55	Settlement of disputes	86	SDEV's memo ref. DEVB(W) 505/17/01 dated 26.6.2012	JUNE 2012
56	Hired and hire-purchase constructional plant	74	ETWB TCW No. 9/2004	MAY 2004
57	(Not Used)			
58	Extension of time for unforeseen utility work	50	ETWB TCW No. 17/2004	JUNE 2004
59	Right of Government to terminate for convenience	-	ETWB TCW No. 23/2004	JULY 2004
60	Changes in Law	1(1), 29, 30, 50	ETWB TCW No. 23/2004 and SDEV's memo ref. DEVB(W) 510/10/01 dated 20.12.2012	JULY 2004
61A to 61F	Preservation and Protection of Old and Valuable Trees	1(1), 4	DEVB TCW No. 10/2013 and the Cyber Manual for Greening under ETWB TC(W) No. 11/2004	DECEMBER 2013
62	Systematic Risk Management	-	ETWB TCW No. 6/2005	JUNE 2005
63	Environmental Management	-	ETWB TCW No. 19/2005 + Interim Guidance Notes (SETW's memo ref. (014G7-01-1) in ETWB(W) 517/91/01 dated 19.6.2006)	JUNE 2006

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64	Use of ultra low sulphur diesel	-	ETWB TCW No. 19/2005 + Interim Guidance Notes (S for ETW's memo ref. (014G7-01-1) in ETWB(W) 517/91/01 dated 19.6.2006)	JUNE 2006
65A & 65B	Definition and Interpretation	1(1)	SDEV's memo ref. (027RU-01- 3) in DEVB(W) 510/17/01 dated 16.7.2010	JULY 2010
66	Reimbursement of Contractor's contribution to the Mandatory Provident Fund for his Site Personnel	-	SDEV's memo ref. (02H25-01-1) in DEVB(W) 510/17/01 dated 8.11.2012	NOVEMBER 2012
67	Reimbursement of Contractor's actual payment and payment of Contractor's associated expenses in providing Labour Relations Officers	-	SDEV's memo ref. (027RU-01-3) in DEVB(W) 510/17/01 dated 16.7.2010	JULY 2010
68A & 68B	Payment of wages of Site Personnel	-	SDEV's memo ref. (027RU-01- 3) in DEVB(W) 510/17/01 dated 16.7.2010	JULY 2010
69A & 69B	Contractor's management team	-	SDEV's memo ref. (027RU-01- 3) in DEVB(W) 510/17/01 dated 16.7.2010	JULY 2010
70	Sub-contract conditions	-	SDEV's memo ref. (02H25-01-1) in DEVB(W) 510/17/01 dated 8.11.2012	NOVEMBER 2012
71	Limiting the tiers of sub-contracting	-	SDEV's memo ref. (01TC9-01-5) in DEVB(W)510/17/01 dated 17.7.2008	JULY 2008
72	Professional Indemnity Insurance	-	DEVB TCW No. 9/2007 & SDEV's memo ref. (02245-01-13) in DEVB(W)510/34/01 of 6.10.2009	OCTOBER 2009
73	Disposal Ground	-	DEVB TCW No. 6/2010	SEPTEMBER 2010
74	Dayworks	60	D&B Admin. Procedures (1999 Edition)	DECEMBER 1999

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75	Bond for Off-Site Manufacture of Major Prefabrications Item(s)	21, 72, 78, 79	SDEV's memo ref. (02APB-01-8) in DEVB(W) 510/83/08 dated 20.7.2012	JULY 2011
76A &76B	Release of Retention Money	79	SDEV's memo ref. (02APB-01-8) in DEVB(W) 510/83/08 dated 8.3.2011	MARCH 2011
77	Uniform and Associated Facilitates for Contracts	-	SDEV's memo ref. DEVB(Trg)13/3(7) dated 11.5.2011	MAY 2011
78	Dispute Resolution Advisor System	-	SDEV's memo ref. (102BBG-01-4) in DEVB(W) 506/00/01 dated 24.3.2011	MARCH 2011
79	Mandatory Employment of Graduates of the Enhanced Construction Manpower Training Scheme (ECMTS)	-	SDEV's memo ref. DEVB(Trg)13/3(9) dated 7.12.2012	JULY 2012
80A & 80B	Implementation of the Contractor & Cooperative Training Scheme (CCTS)	-	SDEV's memos ref. DEVB(Trg)133/4(9) dated 5.8.2013 and 16.8.2013	AUGUST 2013
81	Extension of Time due to Labour Shortage		DEVB TC(W) No. 5/2013	JULY 2013
82	Engagement of Sub-contractors Registered from Subcontractor Registration Scheme	4	SDEV's memo ref: (02KJ8-01-4) in DEVB(W) 510/94/02 dated 22.7.2013	JULY 2013
83	Pay for Safety Performance Merit Scheme (PFSPMS)		SDEV's memo ref: (02LSV-01-1) in DEVB(W) 516/70/03 dated 22.11.2013	NOV 2013