

SPECIAL CONDITION OF CONTRACT

(1) "Section Subject to Excision" means a Section of the Works the details of which are known, but the implementation of which has not been decided upon by the Employer at the time the tender documents are issued and which shall only be implemented upon a subsequent decision of the Employer, followed by a written instruction from the Engineer.

(2) The Engineer may within the time stated in the Appendix to the Form of Tender for ordering the Section Subject to Excision (commencing from and including the date for commencement of the Works notified by the Engineer in accordance with the General Conditions of Contract Clause 47) instruct the Contractor to proceed with the work within that Section.

(3) Notwithstanding the provisions of the General Conditions of Contract Clause 47, the Contractor shall not execute the work within the Section Subject to Excision without the Engineer's instruction in writing, but upon receipt of such instruction shall complete that work within the time for completion of that Section stated in the Contract, or such extended time as may be determined in accordance with the General Conditions of Contract Clause 50. This time for completion commences from and includes the date for commencement of the Works notified by the Engineer in accordance with the General Conditions of Contract Clause 47.

(4) The Contractor shall allow for the work within the Section Subject to Excision in his programme submitted in accordance with the General Conditions of Contract Clause 16.

(5) Notwithstanding the provisions of Clause** of the Special Conditions of Contract, if the work within the Section Subject to Excision is not ordered the liquidated damages for the whole of the Works shall be reduced by the amount of liquidated damages for the Section Subject To Excision.

NOTE: (1) ** Insert the Clause No. of the Special Conditions of Contract for liquidated damages.

(2) This standard Special Condition of Contract should not be used without reference to the Library of Standard Special Conditions of Contract which version should be adopted if there is any variation in the wording.

Section Subject
to Excision