



TENDER DOCUMENTS
SPECIAL CONDITIONS OF CONTRACT

PLD-CS069/25/66

Tender Documents / Special Conditions of Contract

The complementary conditions set forth in these special conditions are in addition to, or complement of, the relevant conditions and provisions provided for in the General Conditions of Contract.

Clause 7 - Performance Security

10% of total contract price

Clause 10.5 Liquidated Damages for delay of work

Liquidated damages shall apply at the rate of **2.5%** of the total Contract Price **per week** of delay of work, up to a maximum of 10% of the total Contract Price.

Clause 11.2 Fines/Penalties for Safety Non-Compliance

In the event of breaching environmental and safety obligations, the Contractor shall pay to CEM the penalties according to the latest version of “SHE Non-Compliance in Contract Managed by CEM”, and without prejudice to the right of CEM to claim the Contractor for indemnification due to such non-compliance.

Clause 13 Defects Liability Period

180 days from date of the Taking Over Certificate

Clause 15 Prices / Payment

Prices

The prices are as defined in the Contractual Price schedule and confirmed on the Letter of Acceptance. They are firm prices.

Proposed prices are to be quoted, denominated and paid in any of the following currencies:

- Macau Patacas
- Hong Kong Dollar
- USD

Payment

- 10% upon project kick-off and submission of Performance Security by the Contractor
- 50% by progress payment based on the progress of work by task (tasks such as delivery design, system integration testing, user acceptance testing etc.) (confirmed by CEM's issuance of respective Interim Certificate)
- 30% upon completion of project (confirmed by CEM's issuance of Taking Over Certificate)
- 10% at the end of Defects Liability Period (confirmed by CEM's issuance of Defects Liability Certificate)

All payments should be settled within 45 days from the date of the issuance of the respective invoices; invoices to be submitted after obtaining the related certificates.

A copy of the Declaration Form and the latest Taxation Document (M/1, M/8) should be presented to CEM before any payment will be effected. For newly established company, only the Form “M/1” (duly approved and stamped by the “Direcção dos Serviços de

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Finanças”) should be presented in the 1st year and the Form “M/8” (issued by the “Direcção dos Serviços de Finanças”) should be presented in the subsequent year.

Important Note

Based on the Macau Law 1/89M which was printed on "Boletim Oficial" no. 16, 17 Abril/89, those overseas Contractors without branch office in Macau are required to perform a Commercial Registration (submission of M/1 Declaration Form) at Repartição de Finanças of Direcção dos Serviços de Finanças (Finance Bureau of Macau).

The M1 application is a legal procedure which is by-law and must be done by the company itself.

For more details on the taxation legislation of the Macau SAR, please refer to the related government website by this link: <http://www.dsf.gov.mo/> and the "Frequently Questions and Answers" area http://www.dsf.gov.mo/tax/tax_faq.aspx in their website.

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