



The South African Institution of Civil Engineering

**GUIDE TO GENERAL CONDITIONS OF CONTRACT FOR
CONSTRUCTION WORKS Second Edition 2015**

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CORRECTIONS TO THE 1st PRINT

Version 3.0 – July 2018

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**CORRECTIONS TO THE GUIDE TO THE GENERAL CONDITIONS OF CONTRACT SECOND EDITION 2015,
1st PRINT**

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ABOUT THIS DOCUMENT

This document replaces its predecessor “Version 2.0 – March 2018” edition of “CORRECTIONS TO THE 1st PRINT”, which replaced all previous editions of corrections.

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CORRECTIONS TO THE *GUIDE TO THE GENERAL CONDITIONS OF CONTRACT* SECOND EDITION 2015

The following corrections apply to the original first print of the *Guide to the General Conditions of Contract Second Edition 2015*. The original first print did not display any indication that it was the First Print, but subsequent prints do show the relevant print number, e.g. "Second Print", "Third Print", etc. The corrections that follow are shown in sequential order for the relevant page numbers.

Frontispiece (on the first page after the document cover)

ADD THE FOLLOWING TWO LINES AT THE BOTTOM OF THE PAGE AFTER "All rights reserved":

"ISBN 978-0-6399234-1-3

First Print"

Page 37

IN THE THIRD LINE OF THE PARAGRAPH COMMENCING WITH

"The duties of the agent appointed by the Employer...",

REPLACE

"Minister of Manpower"

WITH

"Minister of Labour".

IN THE TEXT ABOVE PARAGRAPH 3.3, REPLACE "OSHACT" WITH "OHS Act" IN FOUR INSTANCES.

Page 41

UNDER THE BULLET OF THE PENULTIMATE LINE, REPLACE

"Explosives Act 26 of 1956"

WITH

"Explosives Act of 2003, as amended".

Page 52

IN SUB-CLAUSE 5.1.1.2,

SEPARATE THE PHRASE

“shall be excluded from the calculation of the time-span concerned.”

BY MOVING IT ONTO A NEW LINE AS A NEW PARAGRAPH, AND PROMOTE THAT PARAGRAPH BY ONE PARAGRAPH LEVEL TO A POSITION WHERE IT FORMS THE LAST PART OF SUB-CLAUSE 5.1.1, SO THAT THE ENTIRE SUB-CLAUSE 5.1.1 READS AS FOLLOWS:

- “5.1.1 Except where otherwise provided in the Contract, where a specific time-span is stipulated in the Contract for carrying out any task, or for the termination of any right, or the duration of any event or circumstance,
- 5.1.1.1 The special non-working days set out in the Contract Data that fall within the said time-span, as well as
- 5.1.1.2 The day on which the time-span commences
- shall be excluded from the calculation of the time-span concerned.”

*IN THE PARAGRAPH BEFORE THE **Example**, DELETE THE LAST SENTENCE WHICH READS*

“Please note that the first day must be added to the time calculations when using Microsoft Excel”.

Page 53

REPLACE THE ENTIRE Answer WITH THE FOLLOWING:

“Answer:

The original Due Completion Date is 13 January 2014 + 365 days + (14 public holidays – 1 Sunday which is a non-working day – 4 special non-working days during the year-end break) + 21 days for the year-end break = 12 February 2015.

The Due Completion Date after the agreed acceleration is 13 January 2014 + 334 days + 9 public holidays = 22 December 2014 which falls within the year-end break. Therefore, 21 days should be added = 12 January 2015.

Thus:

1(a): For Practical Completion on 15 December 2014, the Due Completion Date is 12 January 2015.

1(b): For Practical Completion on 15 January 2015, the Due Completion Date is 12 January 2015 + 3 days extension of time up to Practical Completion = 15 January 2015.

(Note that only 3 of the available 10 days extension of time are added. Refer to paragraphs 5.5.1 and 5.12.1 in this regard.)

1(c): For Practical Completion on 15 February 2015, the Due Completion Date is 12 January 2014 + the full 10 working days extension of time (11 days) = 23 January 2015.

2(a): If the Practical Completion is on 15 December 2015, the time-related General Items due would be 12 January 2015 – 13 January 2014, multiplied by R3000: 364 X 3000 = R1.092 mil.

- 2(b): If the Practical Completion is on 15 January 2015, the time-related General Items due would be 15 January 2015 – 13 January 2014, multiplied by R3000: $367 \times 3000 =$ R1.101 mil.
- 2(c): If the Practical Completion is on 15 February 2015, the time-related General Items due would be 23 January 2015 – 13 January 2014 multiplied by R3000: $375 \times 3000 =$ R1.125 mil.
- 3(a) No penalties would be due.
- 3(b): No penalties would be due.
- 3(c): Penalties would be due for 15 February 2015 – 23 January 2015 multiplied by R2000: $23 \times 2000 =$ R46000.”.

Page 64

IN THE TOP PARAGRAPH, FOR THE SENTENCE COMMENCING WITH

“Such steps shall...”

REPLACE THE SENTENCE

“Such steps shall be approved by the Employer's Agent, which approval shall not be unreasonably withheld.”

WITH

“Such steps shall be subject to the approval of the Employer's Agent, which approval shall not be unreasonably withheld.”

Page 97

IN THE LAST LINE OF SUB-CLAUSE 6.5.1.3, REPLACE THE PHRASE

“ruling plant hire rates”

WITH

“ruling construction equipment hire rates”

Page 106

IN SUB-CLAUSE 6.10.1.6, REPLACE “previous payments” WITH “previous payment certificates”.

Page 108

REPLACE THE WORDING OF THE PENULTIMATE BULLET

- “To ensure that the deduction of previous payments are correct, the Employer's Agent should not only rely on the amount certified in the previous payment certificate, but should allow for any further deductions or additions that the Employer might have made, for example retention, penalty, set off, interest, etc.”

WITH

- “When the Contractor must submit his monthly statement for payment, the date for payment by the Employer of the previous payment certificate has not expired yet. It might not be possible for the Contractor to include the correct previous payment amount and therefore the amount of the previous payment certificate must be deducted. However, in the final payment certificate, all amounts previously paid must be deducted.”.

Page 115

IN THE LAST PARAGRAPH, ADD THE FOLLOWING AT THE END OF THE FIRST SENTENCE:

“To ensure that the final payment is correct, the Employer's Agent should not rely on the amount of the previous payment certificate but all amounts previously paid must be deducted.”.

Page 118

AT THE END OF THE FIRST PARAGRAPH OF SUBCLAUSE 7.4.3, REPLACE “Scope of Works” WITH “Scope of Work”.

Page 135

IN CLAUSE 8.6.1.2, REPLACE “SASRIA” WITH “Sasria”.

Page 137

IN THE THIRD AND FOURTH LINES, REPLACE “SASRIA” WITH “Sasria”.

IN FOOTNOTE 21, REPLACE “SASRIA” WITH “Sasria” IN TWO INSTANCES.

Page 142

IN THE SENTENCE BEFORE SUB-CLAUSE 9.2, BETWEEN THE WORDS “example” AND “delivery”, REPLACE “to” WITH “the”.

Page 156

IN THE LAST SENTENCE, REPLACE “footnote 31” WITH “footnote 24”.

Page 164

*IN THE HEADING OF CLAUSE 10.4 **Amicable settlement**, REPLACE “Chapter V” with “Chapters V & VI”.*

IN THE FOURTH LINE OF THE FIRST PARAGRAPH AFTER SUB-CLAUSE 10.4.1, REPLACE “Chapter V” WITH “Chapter VI”.

Page 166

AT THE END OF THE FIRST PARAGRAPH, REPLACE “(see Chapter V)” WITH “(see Chapter VI)”.

Page 178

IN PARAGRAPH 1.4, REPLACE “SIEFSA” WITH “Steel and Engineering Industries Federation of Southern Africa (SEIFSA)”.

Page 179

IN PARAGRAPH 1.5.1.2, REPLACE “paragraph 1” WITH “paragraph 1.1”.

IN THE PARAGRAPH BEFORE THE FIRST BULLETED SUB-PARAGRAPH OF PARAGRAPH 1.5.1.4, REPLACE THE PHRASE

“free of charge by registering on the SAFCEC website”

WITH

“by application to SAFCEC”.

Page 181

IN THE LAST PARAGRAPH OF 1.5.1.4, REPLACE

“The Project Management and Construction Division (PMCD) of SAICE may keep information regarding the inputs required for the Contract Price Adjustment Schedule up to date on the SAICE website.”

WITH

“SAFCEC may keep information regarding the inputs required for the Contract Price Adjustment Schedule up to date on the SAFCEC website.”.

Page 186

IN STEP 2, THE ANSWER IS CORRECT, BUT THE “-1” DOES NOT APPEAR IN EACH OF THE TWO EQUATIONS, THEREFORE REPLACE

“

$$\begin{aligned}CPAF &= (1 - X) \left[\frac{aL_t}{L_0} + \frac{bP_t}{P_0} + \frac{cM_t}{M_0} + \frac{dF_t}{F_0} \right] \\ &= (1 - 0.1) \left[\frac{(0.15)115.6}{101.2} + \frac{(0.35)116.3}{102.5} + \frac{(0.35)101.1}{102.2} + \frac{(0.15)101.0}{103.9} \right]\end{aligned}$$

”

WITH

“

$$\begin{aligned}CPAF &= (1 - X) \left[\frac{aL_t}{L_0} + \frac{bP_t}{P_0} + \frac{cM_t}{M_0} + \frac{dF_t}{F_0} - 1 \right] \\ &= (1 - 0.1) \left[\frac{(0.15)115.6}{101.2} + \frac{(0.35)116.3}{102.5} + \frac{(0.35)101.1}{102.2} + \frac{(0.15)101.0}{103.9} - 1 \right]\end{aligned}$$

”

Pages 228 and 229

UNDER “Written actions required from the Employer’s Agent”,

REPLACE “3.2.1” WITH “3.3.1”;

REPLACE “3.2.4” WITH “3.3.4”;

REPLACE “9.2.1.3.2” WITH “9.2.1.3.3”;

REPLACE “9.2.1.3.4” WITH “9.2.1.3.5”.

Page 241

IN THE LAST LINE OF PARAGRAPH 2.4, REPLACE “SASRIA” WITH “Sasria”.

Page 252

REPLACE “SASRIA” WITH “Sasria” IN:

PARAGRAPH 6.3.1, IN THE FIRST, FIFTH, SIXTH AND SEVENTH LINES;

PARAGRAPH 6.3.2, IN THE FIRST LINE;

PARAGRAPH 6.3.3, IN THE THIRD LINE;

PARAGRAPH 6.3.4, IN THE SECOND LINE.

Page 253

REPLACE “SASRIA” WITH “Sasria” IN:

PARAGRAPH 6.3.6, IN THE SECOND LINE;

PARAGRAPH 6.3.7, IN THE SEVENTH AND EIGHTH LINE;

PARAGRAPH 6.3.8, IN THE FIRST LINE.

Page 255

REPLACE "SASRIA" WITH "Sasria" IN:

PARAGRAPH 7.1, IN THE SECOND LINE.

Page 257

REPLACE "SASRIA" WITH "Sasria" IN:

PARAGRAPH 7.4, HEADING;

PARAGRAPH 7.4.1, IN THE FIRST, SECOND AND FOURTH LINE.

Page 268

DELETE THE LINE "Less Penalties: Clause 6.10.1.7" AND ADD IT BELOW THE LINE "Add VAT: Clause 6.10.1.8".

REPLACE

"Less previous payments: Clause 6.10.1.6"

WITH

"Less previous payment certificates: Clause 6.10.1.6 - NB Use for Interim and Completion Certificates

Less previous payments: Clause 6.10.1.6 - NB Use only for Final Payment Certificate".

ADD A NEW LINE WITH "Sub-total:" BELOW "Add VAT: Clause 6.10.1.8".

ADD A NEW LINE WITH "Sub-total:" ABOVE "Add interest: Clause 6.10.6.2".

Page 271

UNDER THE HEADING "DISPUTE NOTICE", REPLACE "unresolved claim" WITH "rejected claim".