

SPECIAL CONDITIONS OF CONTRACT

(Contract No. ADB/OAS-2010/___)

Nature of Service: _____

The following Special Conditions of Contract (SCC) shall supplement the General Conditions of Contract (GCC). Whenever there is conflict, the provisions herein shall prevail over those in GCC.

Number of GCC Clause	Amendments of, and Supplements to, Clauses in the General Conditions of Contract
1.1(e)	The CONTRACTOR is _____.
3.1	The Governing Law is _____.
3.2	The language is English.
4.2	<p>The addresses are:</p> <p>Asian Development Bank (ADB): 6 ADB Avenue, Mandaluyong City, Metro Manila, Philippines</p> <p>Attention: _____</p> <p>Telephone: _____</p> <p>Facsimile: _____</p> <p>CONTRACTOR: _____</p> <p>Attention: _____</p> <p>Telephone: _____</p> <p>Facsimile: _____</p>
5.1	<p>The Authorized Representatives are:</p> <p>For ADB: _____</p> <p>For the CONTRACTOR: _____</p> <p>Either Party may designate a new Authorized Representative by serving written notice on the other. The designation shall take effect immediately upon receipt of the Notice.</p>
7.1	<p>Does the CONTRACTOR have actual and/or potential conflict of interest? ___ Yes ___ No (See Appendix XX: Conflict of Interest Disclosure Form)</p>

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8.1	The CONTRACTOR shall provide the following Services: (See Appendix XX: Work Performance Statement)
8.2	The CONTRACTOR shall provide the following Related Goods, subject to the conditions specified below: (See Appendix XX : Work Performance Statement)
9.1	The Contract Price is _____[words and figures]. (See Appendix XX : Financial Bid)
9.2	<p>Payment shall be made within _____ calendar days from the date of receipt of covering invoice in a form satisfactory to ADB and within _____ days in the case of the final payment.</p> <p>Other payments:</p> <ul style="list-style-type: none"> • Advance for Mobilization, Materials and Supplies: _____ percent of the Contract Price shall be paid on the commencement date against the submission of a bank guarantee for the same. • Progress payments in accordance with the milestones established as follows, subject to certification by ADB, that the Services have been rendered satisfactorily, pursuant to the performance indicators: <ul style="list-style-type: none"> ➤ _____(indicate milestone and/or percentage) _____ ➤ _____(indicate milestone and/or percentage) _____ and ➤ _____(indicate milestone and/or percentage) _____ <p>Should the certification not be provided, or refused in writing by ADB within one month of the date of the milestone, or of the date of receipt of the corresponding invoice, the certification will be deemed to have been provided, and the progress payment will be released at such date.</p> <ul style="list-style-type: none"> • The amortization of the Advance mentioned above shall commence when the progress payments have reached 25% of the contract price and shall be completed when the progress payments have reached 75%. <p>The bank guarantee for the advance payment shall be released when the advance payment has been fully amortized.</p>
9.3	The Contract Price is a [Fixed Lump-sum]
9.4	The Parties agree to adjust the Contract Price following the formula and conditions below:

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9.6	The applicable Scheduled Rate of Deduction is:
10.1	The Contract Period is _____ The Starting Date for the commencement of Services is _____. The Intended Completion Date is _____.
12.1	The Performance Security is [amount or rate]
12.2	The Performance Security shall be in the form of _____.
12.3	The Performance Security shall be submitted on _____.
12.4	ADB shall discharge the Performance Security on _____.
12.6	The Comprehensive General Liability Insurance is in the amount of Pesos: <i>Two Million Five Hundred Thousand (₱2,500,000)</i>
12.8	Form of Good Social Management (<i>See Appendix XX</i>)
12.12	The Performance Security [and other indemnities as may be applicable] shall continue after expiration of the Contract Period or Termination of the Contract for a period of XXX days.
13.2	ADB shall provide the following machines and/or equipment:
13.12	Prevention of Harassment (<i>See Appendix XX</i>)
13.14	Safety and Security Procedures for Contractors' Personnel in the Headquarters Building of ADB (<i>See Appendix XX</i>)
14.1	The CONTRACTOR shall render the Services according to the following Performance Standards:
15.1	The CONTRACTOR shall achieve a high level of performance as specified in the SLA (<i>See Appendix XX</i>).
16.8	The extended warranty period is _____ days after complete performance. For purposes of this warranty, the CONTRACTOR consents to a retention sum at the rate of _____.

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17.1	<p>The conditions for payment are:</p> <p>In support of invoices, the CONTRACTOR shall submit the following supporting documents:</p> <p>The CONTRACTOR's bank details for payment are:</p>
19.1	<p>The liquidated damages rate is _____ per day.</p> <p>The maximum allowable deduction is _____.</p>
27.1	<p>Other conditions for transition:</p>
28.2	<p>Conditions for sub-contracting, as applicable:</p>
31.3	<p>Conditions for making announcements:</p>

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