

Certificate of Non-Completion



By Post & Fax : 2730 5262

Ref: J3002/400.K589.4/D1674

31 March 2006

Mr Thomas Cheng
Ko Sing Engineering Limited
14/F., Civic Commercial Building
185 Woosung Street
Kowloon
Hong Kong

Dear Sirs

Residential Development at
IL 8873, 33 Ka Wai Man Road, Kennedy Town, Hong Kong
Aluminium Window, Aluminium Louvres, Glass Walls,
Glass & Aluminium Panel and Glass Balustrade Subcontract

Certificate of Non-Completion

We enclose herewith DHA's Certificate of Non-Completion ref. DL328/D0164 dated 23/03/2006 for your necessary action.

As per the list of incomplete/outstanding works after OP Inspection on 21/03/06, we feel very disappointed about the progress of your subcontract works, which have definitely contributed to the delay to the completion of the works for OP/CC inspections and hence Practical Completion of the Main Contract Works beyond the original Date for Practical Completion, i.e. 24/03/06.

Please note that we have been exposed to the liquidated damages deduction by the client due to the late completion of your subcontract works. We shall deduct the same against each of you should the client impose liquidated damages deduction against us for your delay. You are therefore requested to expedite your subcontract works in order to mitigate your delay and minimize the risk of liquidated damages deduction.

Thank you for your kind cooperation.

Yours faithfully

Chris Cheu
Senior Project Manager
Gammon Building Construction Limited
COB/AN/AN

Gammon Building Construction Limited
28/F Devon House
Telford Place 970 King's Road
Hong Kong

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D. HIEUNG & ASSOCIATES, ARCHITECTS & ENGINEERS LIMITED

Room 1308, 13th Floor, LiFung Centre, 2 On Ping Street, Shatin, Hong Kong
Telephone: (852) 2512 8211 Facsimile: (852) 2570 9115 E-mail: dha@navigators.com

Certificate of Non-Completion

Reference No: DL328/03/D0164
Date: 23 March 2006
Works known as: Superstructure Works at
IL 8873, 33 Ka Wai Man Road, Kennedy Town, Hong Kong
Employer: Searson (Hong Kong) Ltd.
Contractor: Gammon Building Construction Ltd.

Architect → Main Contractor

We certify that the works were in our opinion have not been practically completed on 24 March 2006. Up to the date of this Certificate, we have not received the Occupation Permit and Certificate of Compliance from relevant Government Authorities. In accordance with Clause 22(1) of the Conditions of Contract, the Employer may deduct a sum calculated at the Liquidated and Ascertained Damages of HK\$30,000.00/day for the period during which the Works shall so remain or have remained incomplete from any monies due or to become due to you under this Contract.

Deduct L.D. from s/c
in a "Back-to-Back"
Basis.

RECEIVED
28 MAR 2006

BY: SITE OFFICE...

LET BS

Signed:

Tony Chiu

Project Architect

Contractor's Copy

URA's Copy

Searson's Copy

CBW's Copy

Architect's Copy

MCL's Copy

香港建築師有限公司

香港沙田安樂街2號利豐中心13樓1308室

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