

QS to Employer for draft letter

Ok  
Calling of Bond

B16a

24 January 1996

By Fax and By Hand  
(2882 8630)

Hong Kong Housing Society  
29/F World Trade Centre  
280 Gloucester Rd  
Causeway Bay  
HK

Attn: Mr C.M. Yan

Dear Sirs,

Proposed Sandwich Class Housing  
Tsing Yi Area 3, T.Y.T.L. 121, N.T.  
Electrical Installation Sub-Contract

We refer to the meeting dated 23rd January 1996 in your office with WTP, MCE and Wan Hin. We understand that it is the intention of the Employer to recover the damages which may be incurred by the Employer due to the consequence of the non-performance of the Electrical Sub-Contractor through the Surety Bond submitted by the Electrical Sub-Contractor.

Enclosed please find a draft letter to the Surety for your reference. We advise that the draft letter, if considered appropriate, should be sent to the Surety at the soonest possible. In this connection, we would also remind that the Architect's explicit observation of the Electrical Sub-Contractor's non performance would also be required to support the calling of the Bond.

We suggest that due to the complication of the crossing over of the date of the Practical Completion of the Main Contract (still to be certified by the Architect), legal advice may be required.

Yours faithfully,

Levett and Bailey

c.c. WTP - Mr Charles Grose (2513 1728)(w/e)  
MCE - Mr W H Wong (2559 1613)(w/e)

NC/FY/HMK/sn

(Ref#hkhs-210)

Employer's letter to call bond

B16b

Calling Bond

- DRAFT -

By Registered

United Builders Insurance Co., Ltd.  
Room 1001, 10/F, Golden Star Insurance Co., Ltd.  
20-24 Lockhart Road, Wanchai  
Hong Kong

Proposed Sandwich Class Housing  
Tsing Yi Area 3, T.Y.T.L. 121, N.T.  
Electrical Installation Sub-Contract  
Non-Performance of the Electrical Sub-Contractor

We refer to the Surety Bond (Surety Bond No. BOP/00027800/95) issued jointly by your office and Empire Engineering Co., Ltd. (therein called the "Nominated Sub-Contractor") in favour of Hong Kong Housing Society (therein called "the Employer") for the due performance of the Nominated Sub-Contractor undertaken by the Nominated Sub-Contractor in the captioned housing development.

Pursuant to the terms of the said Surety Bond, we hereby serve our notice to you that the Nominated Sub-Contractor has been in default in the due performance and observation of the terms, provisions, conditions and stipulations to the said Sub-Contract to carry out the Nominated Sub-Contract, and due to such default, we as the Employer has sustained damages, substantiation of which will be notified to you in due course.

By explicit terms and conditions of the said Bond, we hereby lodge our claim on you for such damages and expressly reserve all our rights under the said Bond.

(Ref#faxhmkhks-210)

Bond  
cc: J