

Our Ref: 502401/029  
9 March 2023

Ng Chun Yim Construction Company Limited  
Flat E, 13/F, Kim Tak Building,  
328 Nathan Road,  
Kowloon

Dear Sir,

**PROPOSED RESIDENTIAL REDEVELOPMENT  
AT 89-93 TAI HANG ROAD – I.L. 7384  
HOARDING AND DEMOLITION WORKS  
LETTER OF ACCEPTANCE**

On behalf of the Employer, S E A Project Management Company Limited, we are pleased to inform you that your tender submission dated 21 December 2022 and subsequent clarifications and amendments for the captioned Works has been accepted in accordance with the following terms and conditions:-

1. The awarded Contract Sum is Hong Kong Dollars Five Million Nine Hundred Ninety Thousand Only and the sum is made up as follows:-

	HK\$
Original Tender Sum	6,090,000.00
<u>Deduct Lump Sum Discount</u> (as per Ng Chun Yim's letter dated 5 Jan 2023 & 27 February 2023)	<b>(-) 100,000.00</b>
Awarded Contract Sum	<u><u>5,990,000.00</u></u>

A discount factor of **(-) 1.79 %** will be applied to all unit rates (except for the rate only items) and lump sum prices contained in the tender document for all purposes under the contract. The build-up of the discount factor is given below:-

$$\begin{aligned} &= \frac{\text{Lump Sum Discount}}{\text{Corrected Tender Sum} - \text{Corrected Total of Preliminaries} - \text{Provisional Sums for Site Maintenance Works}} \times 100\% \\ &= \frac{(-) \text{HK\$}100,000.00}{\text{HK\$}6,090,000.00 - \text{HK\$}460,000.00 - \text{HK\$}30,000.00} \times 100\% \\ &= \underline{\underline{(-) 1.79\%}} \end{aligned}$$

This Contract is a lump sum contract based on Drawings and Specification.

2. You are required to carry out and complete the Works in full compliance with the Tender requirements and this Letter of Acceptance.
3. The Date for Possession of the Site and Date for Commencement of the Works shall be notified by the Architect separately.
4. It is hereby expressly agreed that the Contract Period and Liquidated and Ascertained Damages are as follows:-

Contract Period:	148 calendar days
Liquidated and Ascertained Damages:	HK\$4,000.00 per day

5. It is hereby expressly agreed that the payment shall be made as follow:-

Period of Interim Certificate:	1 month
Period for payment of certificates:	1 month from presentation of the certificate
Retention Percentage:	10% of the certified value
Limit of Retention:	5% of the contract sum (to the nearest one thousand dollars)

6. The following correspondence shall form part of the Contract :

No.	Date	Reference	Correspondence		Subject
			From	To	
1	27 Feb 2023	-	Ng Chun Yim	SEA	Reply to Final Best Offer
2	23 Feb 2023	502401/027	CB	Ng Chun Yim	Final Best Offer
3	20 Feb 2023	NCY/THR/20230220	Ng Chun Yim	CB	Reply to Post Tender Query No.8
4	21 Feb 2023	502401/026	CB	Ng Chun Yim	Post Tender Query No.8
5	20 Jan 2023	NCY/THR/20230120	Ng Chun Yim	CB	Reply to Post Tender Query No.7
6	19 Jan 2023	502401/021	CB	Ng Chun Yim	Post Tender Query No.7
7	13 Jan 2023	NCY/THR/20230111	Ng Chun Yim	CB	Reply to Post Tender Query No.6
8	13 Jan 2023	502401/020	CB	Ng Chun Yim	Post Tender Query No.6

6. The following correspondence shall form part of the Contract (Cont'd):

No.	Date	Reference	Correspondence		Subject
			From	To	
9	11 Jan 2023	NCY/THR/ 20230111	Ng Chun Yim	CB	Reply to Post Tender Query No.5
10	10 Jan 2023	502401/019	CB	Ng Chun Yim	Post Tender Query No.5
11	9 Jan 2023	-	Ng Chun Yim	SEA	Reply to Best Offer
12	5 Jan 2023	502401/018	CB	Ng Chun Yim	Best Offer
13	7 Jan 2023	NCY/THR/ 20230107	Ng Chun Yim	CB	Reply to Post Tender Query No.4
14	5 Jan 2023	502401/017	CB	Ng Chun Yim	Post Tender Query No.4
15	4 Jan 2023	NCY/THR/ 20230104	Ng Chun Yim	CB	Reply to Post Tender Query No.3
16	3 Jan 2023	502401/016	CB	Ng Chun Yim	Post Tender Query No.3
17	31 Dec 2022	NCY/THR/ 20221231	Ng Chun Yim	CB	Reply to Post Tender Query No.2
18	30 Dec 2022	502401/015	CB	Ng Chun Yim	Post Tender Query No.2
19	30 Dec 2022	NCY/THR/ 20221230	Ng Chun Yim	CB	Reply to Post Tender Query No.1
20	29 Dec 2022	502401/014	CB	Ng Chun Yim	Post Tender Query No.1
21	21 Dec 2022	-	Ng Chun Yim	SEA	Tender Submission
22	1 Dec 2022	502401/013	CB	Ng Chun Yim	Invitation to Tender

Note:-

SEA - S E A Project Management Company Limited

Ng Chun Yim - Ng Chun Yim Construction Company Limited

CB - Currie & Brown (China) Limited

All terms and conditions of the original tender documents shall apply to this Contract unless otherwise stated in the above letters to the contrary. Should there be any discrepancies between the terms and conditions of the various documents and the above-mentioned correspondence, the correspondence of the later date shall prevail.

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7. You are required to take out all relevant insurance policies prior to any commencement of works at Site and the originals of the policies and receipts in respect of premiums paid shall be produced for verification as per the Contract requirements.
8. It is expressly agreed that all qualifications as stated in your tender submission, subsequent replies to post tender queries and correspondence up to the date of this Letter of Acceptance have been withdrawn, unless otherwise accepted.
9. All programmes and method statements during the tendering stage prepared prior to acceptance are for reference only and shall not form part of the Contract.

You are required to complete the Contract works in full compliance with the Contract Documents. No claim for extra payment nor extension of the Contract Period of the Contract will be entertained on the grounds of ignorance of the Conditions under which the Contract Works are to be carried out.

Unless and until a formal agreement is prepared and executed, your tender submitted on 21 December 2022 together with this Letter of Acceptance and the above-mentioned correspondence as stated in item 5 above shall constitute a binding Contract between you and the Employer.

Please acknowledge your agreement of the content of this letter to our office within 3 calendar days from the date of this Letter of Acceptance.

Thank you for your attention,

Yours faithfully

We confirm our agreement of the  
content of this Letter of Acceptance

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For and on behalf of  
LWK & Partners (Hong Kong) Ltd.

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Signature and Company Chop  
Ng Chun Yim Construction  
Company Limited  
Date:

cc	SEA	- Mr. Darren Tsang / Mr. Bong Chan / Mr. Jimmy Wong
	CMA	- Mr. Terence Yau
	CB	- Mr. Martin Wong