

Attachments for Procedure CA/67

SL/CA 67/ 01 – RESPONSE TO A DB REFERRAL BY THE CONTRACTOR

, Chairman/ [Sole Member], DB

, Member, DB

, Chairman, DB

Subject: Employer's Response to Contractor's Referral to DB dated _____ regarding
Dispute No. _____ for

We refer to the Contractor's DB referral dated _____, regarding the dispute on the

In accordance with the Sub-Clause 20.4 of the General Conditions of the Contract, we hereby submit our response to the Claimant's above referred DAB referral.

1. Introduction:

The Contractor's claim in the referral to the DAB is in respect of _____,
within which the Contractor contended that he was entitled to be paid an amount of _____
as the payment for _____

2. Employer's Position in Summary :

3. Employer's Position in Detail :

3.1 Contractual and Legal Position

3.2 Factual Position

4. Issue by Issue Response to the Contractor's Contentions in his DAB Referral

4.1 Claimant's Contention : (Paragraph _____ of Referral)

Respondent's Reply

4.2 Claimant's Contention : (Paragraph ... of Referral)

Respondent's Reply

4.3 Claimant's Contention : (Paragraph ... of Referral)

Respondent's Reply

5. Employer's Conclusion:

(e.g. The Employer assert that there is no justifiable reason to pay the Contractor a higher rate than the rate specified in the Contract when the work was exactly what has been envisaged in the Contract;. The Employer concludes that the Contractor is not entitled to be paid at the rate for

Thanking you.

Yours faithfully,

cc:

- 1.
- 2.
- 3.

Attachments to the Employer's Response

LIST OF ATTACHMENTS

Attachment No.	Description	Page No. in the Contract
1	Extract of Sub-Clause of the General Conditions of Contract	
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SL/CA 67/ 02 - Employer's Referral of a Dispute to DB

....., Chairman/ [Sole Member], DB

....., Member, DB

....., Chairman, DB

Subject: Employer's Referral of Dispute No. for
to DB for a Decision

We hereby refer the Dispute No. for to you for a decision, in accordance with the Sub-Clause 20.4 of the General Conditions of the Contract.

1. Introduction:

2. Decisions Sought from the DB:

3. Employer's Position in Summary :

4. Employer's Position in Detail :

4.1 Contractual and Legal Position

4.2 Factual Position

5. Employer's Conclusion:

(e.g. The Employer concludes that he is entitled for Delay damages for the period as the said delay was due to a reason for which the Contractor was responsible.)
Thanking you.

Yours faithfully,

Project Director

cc:

- 1.
- 2.
- 3.

Attachments to the Employer's Referral

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SL/CA 67/ 03 – NOTICE OF DISSATISFACTION

Project Manager

Subject: Notice of Dissatisfaction with DB's Decision dated _____ regarding Dispute
No. _____ for _____

We refer to the DB's decision dated _____ regarding the captioned dispute.

The Employer, the _____, hereby gives its Notice of Dissatisfaction with the above mentioned DB's decision in accordance with Sub-Clause 20.4 of the General Conditions of Contract.

Part of the Decision for which Dissatisfaction is Notified

We dispute the following statements in the DB's aforementioned decision;

- 1.
- 2.
- 3.

Reasons for Dissatisfaction

The Employer's dissatisfaction with the above DB's decision on the captioned issues is due to the following reasons:

- a)
- b)
- c)

Furthermore, in the light of above facts, the Employer reiterates that the DB's decision was based on wrong interpretation of the Contract and inaccurate contentions and therefore items 1,and of the DAB's decision are not reasonable and are not contractually valid.

The Employer reiterates that some parts of the DAB's decisions which have been highlighted above, are not acceptable due to the reasons stated and the Employer hereby gives his Notice of Dissatisfaction in accordance with the Sub-Clause 20.4 of the General Conditions of Contract.

The Employer further asserts that in accordance with the Sub-Clause 20.4 of the General Conditions of Contract, the DB's aforesaid decision would not become final and binding due to this Notice of Dissatisfaction.

Thanking you.

Yours faithfully,

cc:

- 1.
- 2.
- 3.
- 4.

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