CONTRACT

PART C4: SITE INFORMATION

C4.1 Geotechnical Investigation Report

A geotechnical investigation of the site was undertaken. The report (Annexure C4-A) describes the subsurface conditions encountered at the investigation positions.

The geotechnical information is provided in good faith for the tenderer's general guidance. It represents conditions at the specific investigation points only and on the dates of investigation. The Employer does not warrant the accuracy, completeness or interpretation of the data, nor that conditions between or beyond the investigation points will be the same. Tenderers are deemed to have satisfied themselves as to the nature of the site and subsurface conditions, and must make their own interpretation and allowance for the geotechnical conditions in pricing the tender. No claim arising from a tenderer's own interpretation of, or reliance on, this information will be entertained, except as expressly provided for in the conditions of contract.

The Geotechnical Investigation Report is attached hereto and forms part of this tender document.

C4.2 MAPSEZ Health and Safety Specification

To be provided

C4.3 Construction Environmental Management Plan (CEMP)

The investor/tenant has prepared a Construction Environmental Management Plan (CEMP) for the project that has been approved by project funders and Department of Agriculture, Rural Development and Environmental Affairs (DARDEA). The CEMP addresses the environmental impacts and management measures applicable to the construction and operation of the facility.

The contractor's obligation is to comply fully with the approved CEMP.

Non-compliance with the approved CEMP or any environmental authorisation condition constitutes a material breach of contract. The Principal Agent may issue a written instruction requiring the contractor to remedy any non-compliance within 48 hours. Where the contractor fails to remedy the non-compliance within the required time, the Employer may appoint a third party to carry out the remediation at the contractor's cost. Repeated non-compliance may result in suspension or termination of the contract in accordance with the contract conditions.

The approved Construction Environmental Management Plan (CEMP) is attached hereto and forms part of this tender document (Annexure C4-C).