



**Extension of Southern Highway Project
Section I from Matara to Beliatta**

Extension of Southern Expressway from Matara to Hambanthota

Section 1 from Matara to Beliatta

1. Name of the company was awarded the contract to construct the project –
Contractor – China National Aero-Technology Engineering Corporation (CATIC –Engineering)
2. Contract Agreements – copies of following documents are attached herewith
 - a. Contract agreement
 - b. Letter of acceptance
 - c. Letter of tender

Contract Agreement

THIS AGREEMENT made on the st 31st day of October 2013, between the Road Development Authority (RDA), (an authority incorporated under the Road Development Authority Act No.73 of 1981 as amended through Act No.37 of 2009 of Sri Lanka and having its Head Office on the 1st Floor, "Sethsiripaya", Battaramulla, Sri Lanka (hereinafter called "The Employer") which term means and includes the said RDA, its successors, assigns and liquidators represented by the Director General, Road Development Authority of the one part, and China National Aero Technology International Engineering Corporation, No. 18, Beicheng Eastern Road, Chaoyang District, Beijing, P.R. China- SriLankan Office: No. 6 Cambridge Place, Colombo 7 (hereinafter referred to as "the Contractor"), of the other part:

WHERE AS the Employer desires that the Works, known as, Construction of Extension of Southern Expressway, Section 1 - Matara to Beliatta Contract Package No. RDA/SEEP/CONT/S1 Should be executed by the Contractor, and has accepted a Tender by the Contractor for the execution and completion of these Works and the remedying of any defects therein.

Component Reference No.	Description	Section (km)	Amount (SLR)
RDA/SEEP/CONT/S1	Construction of Extension of Southern Expressway Section 1 - Matara to Beliatta	30	103,280,000,000.00

The Employer and the Contractor agree as follows:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Contract Documents referred to.
2. The following documents, listed in the order of priority, shall be deemed to form and be read and construed as part of this Agreement.
 - a) The Contract Agreement
 - b) The Letter of Acceptance
 - c) The Letter of Tender
 - d) Appendix to Tender
 - e) The Particular Conditions
 - f) The General Conditions of Contract
 - g) Technical Specification - Special Provisions and Appendix to Special Provisions
 - h) The Standard Specification
 - i) The Drawings
 - j) The Preamble to the Bill of Quantities
 - k) The Priced Bill of Quantities

3. In consideration of the payments to be made by the Employer to the Contractor as indicated in this Agreement, the Contractor hereby covenants with the Employer to execute the Works and to remedy defects therein in conformity in all respects with the provisions of the Contract.
4. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.
5. The employer in the event a Loan Agreement is not entered into between the GOSL and the EXIM Bank would compensate CATIC-ENG in respect of works executed by CATIC-ENG upon signing of this Agreement supported by proper and adequate documentary evidence etc.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Sri Lanka on the day, month and year indicated above.

Signed, Sealed and Delivered

by the said:

Cheng Beozhong

NAME:

Cheng Beozhong

On behalf of Contractor



IN THE PRESENCE OF:

GAO WEI

NAME: GAO WEI

Address: No. 18, Beichen Dong Lu, Beijing, China

Passport No. PE0248538

by the said

R. W. R. Pemasiri

NAME: R.W.R.Pemasiri

Chairman
Road Development Authority

R. W. R. PEMASIRI

Actg. Chairman
Road Development Authority

O. Rathnaweera

NAME:

O. RATHNAWEERA
Working Director &
Board Member
Road Development Authority

Board Member, Road Development Authority

On behalf of Employer

IN THE PRESENCE OF:

Director General

NAME: DIRECTOR GENERAL
ROAD DEVELOPMENT AUTHORITY

"SETHSIRIPAYA"
BATTARAMULLA.

Address: _____

LETTER OF ACCEPTANCE



මාර්ග සංවර්ධන අධිකාරිය
வீதி அபிவிருத்தி அதிகாரசபை
Road Development Authority

"සෙත්තිරිපාය", බත්තරමුල්ල, ශ්‍රී ලංකාව.
"செத்திரிபாய", பத்தரமுல்லை, இலங்கை.
"Sethsiripaya", Battaramulla, Sri Lanka.

මගේ අංකය } RDA/RNIP/SEEP/CONT/S1/01
எனது இல }
My No. }
ඔබේ අංකය }
உமது இல }
Your No. }
දිනය } 30th October 2013.
திகதி }
Date }

China National Aero Technology International Engineering Corporation,
No. 18, Beicheng Eastern Road,
Chaoyang District,
Beijing,
P.R. China

Dear Sir,

CONTRACT PACKAGE NO : RDA/SEEP/CONT/S1
CONSTRUCTION OF EXTENSION OF SOUTHERN EXPRESSWAY
SECTION 1 - MATARA TO BELIATTA
LETTER OF ACCEPTANCE

1. This is to notify you that your Tender dated 20th September 2013 for execution of the Proposed Road Construction of Extension of Southern Expressway, Sri Lanka, Section 1 - Matara to Beliatta, as detailed below (Contract No. RDA/SEEP/CONT/S1) for the Accepted Contract Amount of SLRupees 103,280,000,000.00 (Sri Lankan Rupees One Hundred & Three Thousand Two Hundred and Eighty Million only) equivalent to US Dollars 804,110,868.89 (US Dollars Eight Hundred and Four Million One Hundred and Ten Thousand Eight Hundred and Sixty Eight and Cents Eighty Nine only) is hereby accepted by the Road Development Authority. This Amount is exclusive of VAT.
2. Pending the signing of a formal Contract Agreement, your offer referred to above together with this Letter of Acceptance shall form a binding contract between us only upon the Loan Agreement for funding this project has been executed by the Government of Sri Lanka and the Bank extending the Loan which event the RDA would inform in writing.
3. You are requested to furnish the Performance Security within ~~28 days of the Loan Agreement~~ between the Government of Sri Lanka (GOSL) and the Bank extending the ~~Loan becoming effective~~.
4. You are requested to submit a Power of Attorney effective till the expiry of the Defects Liability Period.
5. The component reference numbers allocated are as given above and shall be quoted in all future correspondence on the Contract.

Telephones:-

Chairman 2862767, Director General 2862795, Working Director 2865779, General Numbers ++94-11-2871821-30
Additional Director Generals (Projects 2862485, AO&M 2864804, AD 2882194, NP 2887463)
Directorates (Administration 2865245, Engineering Services 2864803, ESD 2868470, Finance 2864799, Highway Designs 2874024,
Internal Audit 2865764, Lands 2889350, Legal 2885491, Mechanical 2872273, MM&C 2882196, Planning 2882995
Procurement 2884790, R&D 2632649, Rural Bridges 2623896, Training 2869342, Works 2864388)

6. RDA will be represented by the Director General, Road Development Authority in matters connected with the Contract. Your correspondence to the Employer should be addressed to Road Development Authority, 1st Floor, Sethsiripaya, Battaramulla, Sri Lanka.

7. The Engineer for the purpose of the contract will be notified in due course.

Please acknowledge the receipt of this letter and advise the date of receipt.

Yours faithfully,


R.W.R. Pemasiri
Chairman
Road Development Authority

cc. The Auditor General.
Secretary, Ministry of Ports & Highways
Director General, ERD
Director General, RDA
Commissioner of Inland Revenue
Chief, EXIM Bank of China

RWRP/rmg/rm

SEEP/S1/C2

LETTER OF TENDER

LETTER OF TENDER

NAME OF CONTRACT : Construction of Extension of Southern Expressway, Sri Lanka
Section 1 - Matara to Beliatta

CONTRACT NO : RDA/RNIP/SEEP/CONT/S1

TO : Director General, Road Development Authority, 1st Floor,
Sethsiripaya, Battaramulla, Sri Lanka.

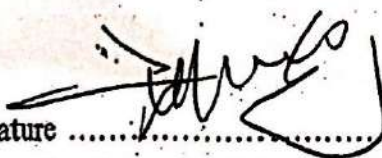
Component Reference No.	Description	Section (km)	Amount (SLR)
RDA/SEEP/CONT/S1	Construction of Extension of Southern Expressway Section 1 - Matara to Beliatta	30	103,280,000,000.00

We China National Aero Technology International Engineering Corporation have examined the Conditions of Contract, Specification, Drawings, Bill of Quantities, the other Schedules and the attached Appendix to Tender for the execution of the above-named works.

Pursuant to negotiations on 07th August, 13th September, 18th September 2013 and the subsequent agreement with the Standing Cabinet Appointed Procurement Committee on 18th September 2013, we offer to execute and complete the works and remedy any defects therein in conformity with this Tender which includes all the above named documents, for the sum of *Sri Lanka Rupees 103,280,000,000.00 (Say Sri Lanka Rupees One Hundred Three Billion Two Hundred Eighty Million only)* or such other sum as may be determined in accordance with the Conditions of Contract.

We acknowledge that the Appendix to Tender forms part of this Letter of Tender.

If this offer is accepted, we will provide the specified Performance Security, commence the works as soon as is reasonably practicable after the Commencement Date, and complete the works in accordance with the above named documents within the Time for Completion.

Signature  In the capacity of Authorized Representative duly authorized to sign tenders for and on behalf of China National Aero Technology International Engineering Corporation,
Address: No.18, Beichen Eastern Road, Chaoyang District, Beijing, China
Sri Lankan Office: No.6 Cambridge Place, Colombo 07

Date: 2013.9.20