

# Addenda / Errata note

25 July 2023

The OGP would like to issue the following clarifications on the most recent document amendments to the Capital Works Management Framework. The online documents have been updated to reflect these changes. No new version numbers have been issued for these corrections.

The text marked in strikethrough has been removed.

## PW-CF1

A typographical error in sub-clause 15.6 has been corrected.

### **15.6 Failure to Complete on Time**

If the Contractor fails to complete the Works or a Section by its Date for Substantial Completion, adjustment of the Contract Sum in respect of the Works or Section after its Date for Substantial Completion shall be effected by the Index Figures or the Sectoral Employment Order Rate(s) ~~(as appropriate) Where the Contract is subject to Statutory Instrument 284 of 2016 European Union (Award of Public Authority Contracts) Regulations 2016 or Statutory Instrument 286 of 2016 European Union (Award of Contracts by Utility Undertakings) Regulations 2016, “Legal Requirement” shall also include environmental, social and labour law established by European Union law, national law, collective agreements or by the international, social and labour law provisions listed in Annex X of Directive 2014/24/EU~~ applicable to the Adjustment Period in which the Date for Substantial Completion occurs, or the Adjustment Period, whichever results in the most favourable adjustment to the Employer.

## PW-CF 1 to 5

In **Appendix 2, Permitted Increases and Permitted Decreases for Material and Fuel** to Clause 15, the following sub-clause reference is amended:

Where  $((F1 - D1)/D1) - PIT > 0$  for a Material Category or Fuel Category, the formula for calculating a Permitted Increase pursuant to sub-clause **15.9.2**.

Where  $0 > ((F1 - D1)/D1) + 0.1$  for a Material Category or Fuel Category, the formula for calculating a Permitted Decrease pursuant to sub-clause **15.9.2**.

## FTS1 to 5

In **Appendix 5 Indices and Weightings for Material Categories and Fuel Categories, Part 1: Material Categories Indices and Weightings** of Clause 15 PW-CF 1 to 5, the subcategories (5.1) and (5.2) for (5) *Other Concrete Products including Precast*, have been removed. This is to align with the current reporting structure on Table 3 of the Detailed Wholesale Price Indices (ex VAT) for Building and Construction Material from the Central Statistics Office (CSO).

(5)		<b>Other Concrete Products including precast</b>	
<del>(5.1)</del>		—	<del>Precast Concrete</del>
<del>(5.2)</del>		—	<del>Other concrete products (excluding precast concrete)</del>

## PW-CF 6

Clause 4.2 was omitted in error from the version published on 19<sup>th</sup> July and a corrected version of PW-CF6 v1.14 19-07-2023 is now available in Pillar 1 Contracts. Clause 4.2 now reads:

**4.2** When a payment is to be made, not later than 5 days after the date agreed between the parties to be the payment claim date the Contractor shall give the Employer's Representative a payment claim notice, in the form of a detailed statement of the amount to be paid. Within 14 days of receiving the payment claim notice, the Employer's Representative shall issue a response to the payment claim notice, to the Contractor, in the form of a certificate, setting out the amount the Employer's Representative considers the Contractor should be paid, with reasons for any difference between the amount in the certificate and the Contractor's statement. If the certificate states that an amount is due to the Contractor, the Contractor shall send an invoice to the Employer for that sum. The Employer shall pay the amount due on the invoice within the period stated in the Schedule.