

Standard Reservations – January 2007

Building and Civil Engineering Works

1. The tender shall be subject to the “General Conditions for Works and Supplies for Building and Civil Engineering Works” (abbreviated “AB 92” from the Danish title) of 10 December 1992. Any reservations made by the tenderer shall form an integral part of the tender and thus cannot be overridden by the tender documents.
2. It is assumed in the tender that a service sewer and the necessary service pipes and lines for the supply of electricity, gas, heat, water, etc., are available on the building site in connection with any construction work, unless the drawings or work programme indicate that the establishment of such installations forms part of the contract work.
3. It is assumed in the tender that the employer - except for public employers - shall provide the security referred to in sect. 7 of AB 92 no later than eight (8) working days after contract conclusion.
4. It is assumed in the tender that the contractor and his sub-contractors shall be included as beneficiaries on the fire and storm insurance policies taken out by the employer pursuant to sect. 8 of AB 92. This shall also apply to the self-insurance maintained by public employers.
5. The following provisions shall apply to winter measures during the winter period (1 November to 31 March); cf. the Executive Order on Winter Measures:
“Seasonal winter measures”, cf. the Executive Order on Winter Measures - other than those that are common to several contracts and not stated in the tender documents as being part of the contract - shall be included in the tender sum. The carrying-out of such measures shall be regarded as extra works.
“Weather-dependent winter measures”, cf. the Executive Order on Winter Measures, shall be regarded as extra works. If the employer declines to pay for such extra works, the contractor shall be entitled to extend the relevant time limits and, in the case of works covered by the Executive Order on Winter Measures and/or involving the construction of buildings, bridges and similar works, he shall furthermore be entitled to demand payment of standstill costs. If the winter measures to be paid for as extra works are described in a special winter bill of quantities stating unit prices and tentative quantities, such winter measures shall be invoiced at the unit prices stated in the winter bill and based on the quantities consumed, or otherwise according to account rendered.
6. The tender sum shall be index-linked. In the event that no index is specified in the tender documents or in the tender, the index (or sub index/trade index) to be applied shall be

Technical Conditions

- A. In the absence of specification to the contrary in the tender documents, only overall pressure testing will be carried out.
- B. Power for working lights and generally employed machinery shall be conveyed by the employer to suitable spots on the work site (power points for each 30 metres as a maximum, cf. the provisions of the “Rørprislisten”, and consumption shall be paid for by the employer. However, such power as is consumed in the heating of sheds (staff rooms), etc., and electric welding shall be paid for by the tenderer (in the absence of stipulations to the contrary in the tender documents).
- C. The putting into operation of heating systems (cf. section 12 (4) of AB 92 - “General Conditions for Works and Supplies for Building and Civil Engineering Works”) for the purpose of drying/heating shall occur only as per specific agreement and shall be regarded as handing-over procedures for the commissioned works. It is a stipulation that no insulating work shall be carried out before pressure testing of the relevant pipe-line sections has been completed.
- D. For thread cutting, only water-flushable cutting fluid will be used. Therefore, no liability shall be accepted for chemical and/or bacteriological contamination of the pipe systems or tanks.

Collective conditions for insulating works

- E. It is assumed that the work is carried out in accordance with DS 452 (Standard for thermal insulation of technical installations issued by the Danish Society of Chemical, Civil, Electrical and Mechanical Engineers) as well as DS 1102 (Insulating distances), except where the tender documents expressly provide otherwise.

that index published by the Danish Bureau of Statistics whose structure best corresponds to the contract works. If the tender documents call for the submission of fixed-price tenders, the price shall be adjusted for any part of the work performed more than twelve (12) months after the tender date. Price adjustments in respect of building and civil engineering works shall be made in accordance with the guidelines listed in Appendix 1 to the National Building and Housing Agency Circular on Prices and Time Limits for Building and Civil Engineering Works of 10 October 1991. However, in respect of civil engineering works the index applying to price adjustments shall be the index prevailing on the first day of the relevant month, if so specified in the tender documents.

In addition to the fixed price the contractor shall be entitled to reimbursement of any increase in expenditure caused by governmental orders and/or extraordinary price increases, cf. sects. 8 and 9 of the National Building and Housing Agency Circular on Prices and Time Limits for Building and Civil Engineering Works of 10 October 1991.

If the tender documents do not call for the submission of fixed-price tenders, the tender price shall be adjusted using the index prevailing on the tender day as the base index.

7. If the tender documents require the contractor to supply a material with a warranty for specific material properties that is more far-reaching than the general liability for defects specified in AB 92, the contractor shall be bound by such warranty only to the extent to which it is possible for the contractor to supply the materials specified by the employer with the requisite properties, and provided that his supplier is prepared to grant him the same warranty and is capable of meeting his obligation.
8. The tender shall not include any delays in the work due to a notification being made to the public authorities under the Danish Act on Soil Contamination, except where the time frame within which such notification must be made is expressly stated in the time schedule set out in the invitation to tender. Nor shall the tender include any services rendered to comply with requirements issued by the public authorities for excavation and removal of the contaminated soil in response to such notification, unless the services can be unambiguously inferred from the general rules and regulations applying on the tender date - and full particulars of the contamination have been provided in the tender documents for that purpose, or the conditions stipulated by the authorities are identical to those set out in the tender documents.

The above reservations have been duly filed with the Danish Competition Council.

Measurement work shall be carried out as follows: measure the external pipe diameter and the running pipe length outside on the insulation and along the outside of curves without any deduction for flange connections, valves, pipe brackets and other minor interruptions. Several pipes that are insulated as one shall be included in accordance with their number and dimensions. Flanges, valves, bends, branch tees, end-fillets, etc., shall count as a surcharge. Flat area work shall be measured on the outside of the completed insulation without any deduction for fire casings, manholes, cleanout doors, etc. Bends count as extras.

Reservations are made in respect of the cost of repairs on completed insulating works when such costs are attributable to the fact that the employer and/or his representative demand that the work be carried out - despite objections on the part of the contractor - in places where there is a risk of water damage.

*) Tenderers and employers should bear in mind: -

that reservations attached to a bid shall apply in preference to the tender documents, including tender forms preprinted by the offeror, except where the reservation stipulates otherwise, or an agreement to the contrary is made at a later stage, and that the tender documents should include a full description of the services that are tendered, as well as a time schedule which should, as a minimum, contain binding and accurate details of the date and time of acceptance of tenders, the commencement of the work, conclusion, and payment of final invoice.