

FIDIC合同文件组成 (一) 造价工程师考试 PDF转换可能丢失图片或格式，建议阅读原文

https://www.100test.com/kao_ti2020/533/2021_2022_FIDIC_E5_90_88_E5_90_c56_533498.htm 尽管合同文件中有一部分，例如通用合同条件与招标文件中出现过，但合同文件与招标文件不同。另外，注意合同文件与合同条件不是一回事。

1. 合同文件组成

- (1) 通用合同条件 (Conditions of Contract for Works of Civil Engineering Construction, Part I General Conditions)
- (2) 专用合同条件 (Conditions of Contract for Works of Civil Engineering Construction, Part II Conditions of Particular Application with Guidelines for Preparation of Part II Clauses)
- (3) 标书、标书附录与投标保证 (Tender, Appendix to Tender and Tender security)
- (4) 协议书 (Agreement)
- (5) 技术条款 (Specifications)
- (6) 图纸 (Drawings)
- (7) 填写了价钱的工程量清单 (Priced Bills of Quantities)
- (8) 中标通知书或称中标函 (Letter of Acceptance)
- (9) 其它明确列入中标函和合同协议书中的文件。例如劳务费、材料供应协议；补遗；招标期间业主和承包商的来往信件；澄清会议纪要；现场条件资料；水文地质及气候资料等。

2. 中标函 (通知书) 业主在投标书有效期结束前，以电报通知中标者，此电报随后以挂号信书面确认。中标通知书应在正文或附录中列入以下内容：

- (1) 完整的合同文件清单，包括以被接受的投标书，双方对投标书修改的确认。这些修改包括纠正计算错误，修改或删除某些保留条件。
- (2) 合同价 (Contract Price)。
- (3) 涉及履约保证的递交，以及正式协议书的签字、盖章生效等问题。注意，FIDIC合同文件并没有统一规定中标通知

书的格式。下面是一个实际的中标通知书。虽然该合同未使用FIDIC合同条件，但这份中标通知书能够给予读者一个具体的印象。 Our Ref: 94083/SPC/01 BY FAX & POST 26th February 1998 New Construction Co., Ltd. Flat 2,3/F, Honor Hall 437-441 Hudson Road Kowloon, Hong Kong, China Attn: Mr. Zhang Desheng Dear Sirs: Letter of Acceptance Main Contract for Proposed Multi-Service Centre on SLNK 6517 L/M King Luo Street/Hong Bao Road, Kowloon We refer to your submission of tender for the captioned works on 21st July 1997 and the following post-tender correspondences:- 1. Letter dated 23rd August 1997 from Levett to New Construction Co., Ltd. 2. Letter dated 25th August 1997 from New Construction Co., Ltd. to Levett. 3. Letter dated 5th September 1997 from New Construction Co., Ltd. to Design 2. 4. Fax transmittal dated 15th November 1997 from Design 2 to New Construction Co., Ltd. 5. Letter dated 16th November 1997 from New Construction Co., Ltd. to Design 2. 6. Letter dated 22nd January 1998 from New Construction Co., Ltd. to Design 2. On behalf of the Mental Health Association of Hong Kong, we are pleased to advise that your tender in the amount of HK\$32,677,269.00(including a contingency sum of HK\$1,000,000.00) has been accepted. The contract period is 320 calendar days from the Date for possession that will not be later than 31st March 1998. Unless and until a formal agreement is prepared and executed, your submitted tender together with this letter shall constitute a binding contract between you and the Employer. Contract documents are being prepared and you will be notified

when they are ready for execution. All post-tender correspondence above-mentioned shall form part of the contract documents. Please acknowledge your receipt of this letter of Acceptance by countersigning and returning the duplicate copy of this letter. Yours faithfully, John C.D. Yeung Authorized person JK/as Cc: MHA Miss Marry Kong L Mr. Smith David

有时，在中标通知书之前，业主先写一封意向书。表明业主接受中标者投标书的意愿，但又附加限制条件。意向书一般对业主无约束力。除非其中说明对于承包商在中标通知书之前完成的业主指定的工作，业主一定给予合理的报酬。业主如果要求中标者在颁发中标通知书之前开始某项工作，承包商最好要求单独签一份合同，不要将这项工作纳入以后签定的正式合同中，这样做，对双方都有好处。万一将来由于某种原因业主不能再继续工程，承包商要收回已完工作的款项就有了根据。为什么要写意向书？其目的是保护长期物的价格和货源，以及其它具体指定用途的一种义务契约。（百考试题造价师__）100Test 下载频道开通，各类考试题目直接下载。详细请访问 www.100test.com