

APPENDIX A

Supplementary Clauses and Amendments to ACE Agreement 1: Design 2009

Part B: The Particulars of Agreement

INSURANCES

B12 Delete the word “aggregate” and insert “any one claim”.

B12 Paragraph (ii) to be deleted.

Part F: The Terms of Contract

Add new clauses:

F12 DISPUTES AND DIFFERENCES

Arbitration

F12.3 Subject to the provisions of Clauses 12.1 and the parties’ right to refer any dispute to adjudication at any time, any dispute between the parties under or in connection with this Appointment is referred to arbitration in accordance with the provisions of the Arbitration Act 1996.

F12.4 The arbitrator is the person agreed by the parties. If the parties fail to agree on a person to act as arbitrator within 14 days after one party serves notice of arbitration on the other, the arbitrator is to be appointed by the President of the Royal Institution of Chartered Surveyors.

F12.5 Any arbitration is carried out in accordance with the edition of the Construction Industry Model Arbitration Rules which is current at the date of this Appointment.

Litigation

F12.6 If litigation is the method of dispute resolution, subject to Clause F12.1, the parties submit to the exclusive jurisdiction of the Courts of England and Wales.

F14 COLLABORATION

The Engineer shall collaborate with Other Consultants named in Part B: The Particulars of Agreement, or whose appointment is foreseeable and, as applicable, shall co-ordinate and integrate the information received into the Engineer’s Work.