

SUB – CONTRACT AGREEMENT

Ref. No: JB /ARC-FIL /2020/0001

PROJECT: JUBA – BOR HIGHWAY

THIS AGREEMENT is executed in Juba, South Sudan on this ³¹ day of March, 2020.

BETWEEN

ARC, Resources Corporation Limited., a company incorporated in South Sudan and having a place of business at Juba, South Sudan (hereinafter referred to as "ARC") of the one part;

AND

FIVE INVESTMENT LTD, a company incorporated in South Sudan and having a place of business at Juba, South Sudan (hereinafter referred to as "Five Investment") of the other part;
(Collectively ARC and Five Investment hereinafter referred to as "the Parties")

WHEREAS

- A. M/s **ARC, Resources Corporation Limited.** was awarded the contract named as Construction of Juba- Bor Highway by the Ministry of Roads and Bridges
- B. ARC is desirous to subcontract some works such as Construction of Access Road to Borrow pit at Kondokolo from Km 13+500 to Five Investment
- C. Five Investment agrees to undertake the works mentioned in item B required by ARC.
- D. In furtherance thereof, the Parties hereby agree to enter into this Agreement upon the terms and conditions hereinafter appearing.

NOW IT IS HEREBY AGREED as follows: -

- 1. The scope of subcontracted work is defined as Clearing and Grubbing, Construction of Subgrade and Construction of Sub base, The width of the access Road on top of Sub base is 7 meters.
- 2. Five Investment agrees to undertake the works as subcontractor offered by ARC.
- 3. Five Investment has accepted to execute the works at rates of as per attached Bills of Quantities.
- 4. Five Investment shall have to construct the assigned works in accordance with the design and specification in strict manner.
- 5. The defects of works done shall have to be rectified by the own cost of Five Investment inclusive of construction materials.
- 6. Five Investment shall have to complete the works within the construction schedule provided as attached.
- 7. The delay of works caused by JMG shall be fined **0.05% of contract sum per day** as liquidate damages.

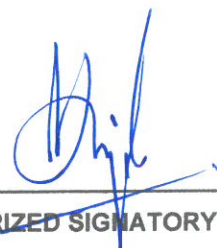
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8. The Dumping site of spoil material shall be at least 1 km from the Project Road and it should be on the RHS located by ARC.
9. There will be an advance payment of USD 75,000. (Seventy Five thousand United States Dollars)
10. The contract can be terminated by either party by giving written Notice of 14 days.

IN WITNESSES WHEREOF the duly authorized representatives of the Parties hereto have executed this Agreement on the date first mentioned above.

Signed by:
for and on behalf of
ARC
in the presence of:




AUTHORIZED SIGNATORY
(ENGR. KYI WIN)
Managing Director



WITNESS
(Birungi Dayot)
Project Engineer

Signed by:
for and on behalf of
Five Investment
in the presence of:


AUTHORIZED SIGNATORY
(MALISH MARTIN JOSEPH)
Manager


WITNESS
Name: Anthony Man Mante
Position: Assitane opratinal M



BILL OF QUANTITIES**CONSTRUCTION OF ACCESS ROAD TO BORROW PIT AT KM 13+500 LHS**

Item	Description	Unit	Quantity	Rate (USD)	Amount (USD)
Division 2100: CLEARING AND GRUBBING					
21.01	Clearing and Grubbing	M ²		1.75	-
DIVISION 4300: BORROW MATERIALS & DIVISION 4400: EMBANKMENT CONSTRUCTION					
43.02	(b) Selected Subgrade 300 mm thick	cubic metre (m ³)		20.00	-
DIVISION 5100: SUB-BASE					
51.01	Sub-base layer constructed from gravel :				
(a)	200 mm thick natural gravel soil subbase	cubic metre (m ³)		35.00	-


31/3/2020

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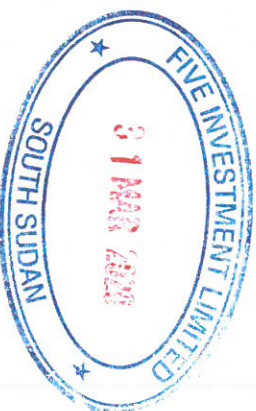


CONSTRUCTION OF JUBA BOR HIGH WAY
CONSTRUCTION OF ACCESS ROAD TO KONDOKOLO B/ PIT

Item	Description	Weeks			
		1	2	3	4
1	Clearing and Grubbing				
2	Construction of Subgrade				
3	Construction of Subbase				

[Signature]
 21/3/2020

Mahmud





INTERNAL MEMORANDUM

Ref. No.: JBH/ARC-FIL/0001

Date: 17th June 2020

Attn.: Managing Director

Subject: **SUBSTANTIAL COMPLETION (ACCESS ROAD TO BORROW PIT)**

Dear Sir,

On the 16th June 2020 I held a joint inspection with five investment of the access Road to the Borrow pit at Km 13+500 LHS, the Sub contractor constructed earthworks using fill material and then Selected Subgrade Layer using Gravel from the Borrow pit

The activities have been completed, however, the attached is the snag list of the works to be corrected.

I recommend that we don't engage the subcontractor to do Subbase layer since the road is motorable, ARC will handle the maintenance as when there is need during the course of adding Culverts and also to reduce on the costs.

Regards,

Name: Birungi David

Position: Project Engineer

Department: Engineering

Simon Akwei

- Pl. let Five

Investment to complete

the items in check
list before final

payment is made.

- Feedback when the
work is done.

David

Feed back.

The Managing Director

ARC Resource Corporation

Juba

9th/June/2020

David
9/6/20

Dear Sir,

Re: Handover of Access Road on Juba-Bor High Way.

The management of Five Investment Ltd is pleased to notify your office that the access road to the murrum on Juba-Bor highway awarded to Five Investment Ltd on 31st March 2020 was successfully completed on 23rd May 2020.

However, we were unable to handover immediately because your team was working on the drainage structures and in the meantime the road was inaccessible to carry out this exercise.

Basic drainage is in place now and the road is once again accessible to the end.

In this handover note, we want to bring to your attention the magnitude of the work as follows;

Bush clearance-15mx7km (15x7000m)-105,000 m²

Fill material- 49,160.72 m³

Murrum/gravel-13,637.5 m³

(See attachment for details of fill material and murrum)

Malik





JUBA-BOR HIGH WAY

SNAG LIST FOR ACCESS ROAD CONSTRUCTION TO BORROW PIT AT KM 13+500 LHS

SNO	CHAINAGE		DETAILED ITEM	REMARKS
	FROM	TO		
1	1+200	3+400	1. Shoulders to be shaped to achieve Cross fall 2. Add material on low spots at the shoulders	The road was affected by the recent heavy rains as trucks use the Road
2	3+400	4+400	1. Windrow material to be removed from the drains to allow free flow of water	
3	4+400	6+200	1. Shoulders to be shaped to achieve Cross fall 2. Add material on low spots at the shoulders	The road was affected by the recent heavy rains as trucks use the Road
✓ 4	6+200	9+200	Light Grading required	
5	9+200	7+000	Add more Selected subgrade material to achieve the specification requirements	

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May/Jan 2013