

## Addendum

### **In Chapter-II: General Conditions of Contract (GCC)**

#### **2.86 LIMITATION OF LIABILITY:**

Except in cases of criminal negligence or wilful misconduct or except otherwise provided for specifically elsewhere in tender document: -

- a) The contractor shall not be liable to the owner, whether in contract, tort or otherwise for any indirect or consequential loss or damage, loss of use, loss of production, or loss of profits, provided that this exclusion shall not apply to any obligation of the contractor to pay liquidated damages/penalty to the owner and
- b) The aggregate liability of the contractor to the owner, whether under the contract in tort or otherwise, shall not exceed the total contract price, provided that this limitation shall not apply to the cost of repairing or replacing defective equipment, or to any obligation of the contractor to indemnify the owner with respect to patent infringement.