

**ATTORNEY GENERAL'S CHAMBERS
MINISTRY OF LEGAL AFFAIRS**

95 Carmichael Street
North Cummingsburg,
Georgetown, Guyana.
South America.



Tel: 225-3607 / 226-2616-8
Fax: 227-5419
Email: agchambers@mola.gov.gy

HON. MOHABIR ANIL NANDLALL

Company Secretary

Courtney Benn Contracting Services Limited
Lot 28B New Providence
East Bank Demerara
Guyana

2nd November 2020

Dear Company Secretary,

**Re: Termination of Contract for the Re-construction of the St.
Roses' High School**

I act on behalf of the Government of Guyana.

The Government of Guyana, through the Ministry of Education, executed a written agreement with your company on the 8th August 2018, for the Construction of the St. Roses' High School located at Camp and Church Streets, Georgetown, in accordance with the terms specified in the said contract.

The contract was executed for the sum of \$352,709,745.00 (three hundred and fifty - two million, seven hundred and nine thousand, seven hundred and forty-five) Guyana dollars and was supposed to be completed on or before 8th April 2020.

The Government of Guyana then executed an addendum to the contract dated the 23rd December 2019, to facilitate the driving of piles by your company. The contract was extended for a period twenty (20) months and is now scheduled to be completed by the 23rd August, 2021. The Contract sum was then increased to the sum of \$ 412,304,

357.00 (four hundred and twelve million, three hundred and four thousand, three hundred and fifty-Seven) Guyana dollars.

Thus far, your company has only completed nine (9%) of the schedule of works. *As a consequence, your company has committed a fundamental breach of the terms of the contract and as a result thereof the Government of Guyana hereby exercises its right to terminate the contract with immediate effect.*

The grounds for termination are as follows:

- (a) *Breach of Clause 40.2 (a) for failing to comply with the schedule of works;*
- (b) *Breach of Clause 40.2 (g) read along with the special conditions of the contract for inordinate delay in the completion of works under the contract.*

The Government of Guyana will enforce the provisions in the contract regarding the enforcement of ten (10%) of the contract sum as liquidated damages and the surrendering of the performance security as a consequence of your company's fundamental breach of the contract.

In addition thereto, the Government of Guyana reserves its right institute legal proceedings against your company for compensation for breach of contract.

Please arrange to have the site cleared immediately.

Please be guided accordingly

Yours Faithfully



Hon. Mohabir Anil Nandlall, M.P.

Attorney General and
Minister of Legal Affairs