

- 8.1.15 Costs incurred due to an emergency affecting the safety of persons and property.
- 8.1.16 Other costs incurred in the performance of the Work if and to the extent approved in advance in writing by the Owner.

(Give insert modifications or limitations to any of the above Subparagraphs, such as equipment rental charges and small tool charges applicable to the Work.)

* Small Tool rental at the rate of FIVE PERCENT (5%) of Labor.

ARTICLE 9

COSTS NOT TO BE REIMBURSED

- 9.1 The term Cost of the Work shall not include any of the items set forth below in this Article 9.
- 9.1.1 ~~Salaries or other compensation of the Contractor's personnel at the Contractor's principal office and branch offices~~ **Excluding Project Manager.****
- 9.1.2 Expenses of the Contractor's principal and branch offices other than the field office.
- 9.1.3 Any part of the Contractor's capital expenses, including interest on the Contractor's capital employed for the Work.
- 9.1.4 Except as specifically provided for in Subparagraph 8.1.8 or in modifications thereto, rental costs of machinery and equipment.
- 9.1.5 Overhead or general expenses of any kind, except as may be expressly included in Article 8.
- 9.1.6 Costs due to the negligence of the Contractor, any Subcontractor, anyone directly or indirectly employed by any of them, or for whose acts any of them may be liable, including but not limited to the correction of defective or nonconforming Work, disposal of materials and equipment wrongly supplied, or making good any damage to property.
- 9.1.7 The cost of any item not specifically and expressly included in the items described in Article 8.
- 9.1.8 Costs in excess of the Guaranteed Maximum Cost, if any, as set forth in Article 5 and adjusted pursuant to Article 7.

** Project Manager time invoiced @ \$25.00 per hour.