

# The Miami Green General Business Conditions 1/3

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These General Business Conditions are setup to ensure a professional and ethical business conduct of our Council to the delight and benefit of both, the Miami Green owners as well as our service-providers.

## **1./ Service-Contracts for the Miami Green Resort**

### **1.1 Requirements on Service-Providers**

In order that potential service-providers can be accepted as offering parties they must provide original certified and signed true copies of their company-documents (Memorandum and Articles of Association, Form 24, Form 44, Form 48A and Form 49, each originally certified by their company-secretary) latest along with their offers in order. In case potential service-providers should be an enterprise company 'only' the corresponding company-documents are to be submitted in also as original signed and certified true copy to ensure that e.g. the five offering companies are not owned/not run by one identical director(s) respect. shareholder(s).

Offers from potential-providers who fail(ed) to provide their company-documents will not be considered.

Exemptions: the semi-government companies like Tenaga Nasional, PBA.

### **1.2 Tendering out for Service-Contracts**

The Council, respectively the engaged Miami Green Property Management Company, shall tender out its service-enquiries to minimum three, respect. for any major project five, different potential service-providers.

### **1.3 Information about the Miami Green General Business Conditions + Key Policies**

These General Business Conditions and our Miami Green Key Policies do apply to all business activities of the Miami Green Management Corporation and its Council. All service-providers – both, those, who deliver their services already as well as those whose offer for services shall be enquired for in future – shall be informed about these General Business Conditions and the Miami Green Key Policies [including the existence and function of our Board of Advisers as specified in our Miami Green Key Policies]

With accepting an election into the Council all Council-Members have explicitly accepted also to adhere to their terms and conditions. In all service-enquiries service-providers are to be informed that these terms and conditions shall apply to all service-contracts.

## **1.4 Confidentiality about Offers/Quotations & Service-Contracts**

All Offers/Quotations & Service-Contracts are principally confidential and open only for members of the Council and the Board of Advisers for the purpose of evaluation / reconsideration in order to achieve best-possible results for the Miami Green Management Corporation.

We acknowledge that all Miami Green owners have the right to request and to obtain any such details of any service-contract(s), however owners are obliged to keep any such details confidential.

## **2./ Board of Advisers**

### **2.1 Board of Advisers**

As “think tank” for the Council as well as an internal independent controll-authority on behalf of our Miami Green owners a Board of Advisers has been setup.

### **2.2 Function and aims of this Board**

- to support the responsibility-bearing Council-Members by contributing their expertise to all meetings and negotiations
- as an independent Board of Advisers to also act as an internal controll-authority to the delight of all owners; as such the members are entitled/requested to publish any point of concern and to the Miami Green owners in any way they shall find reasonable.

Members of this Board will be invited to join all meetings with service-providers, however they will take part in these meetings without a voting-right and - since this is a pro bono function – the members of this BoA are also not “obliged” to actually join all meetings.

In any particular case the Council-Members may decide not to follow the advice of the BOA – if for example, the accumulated knowledge regarding a matter has lead the Council to a different conclusion of understanding.

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Striving to make our Miami Green Resort to become and indeed the finest on Penang island, Council and Board of Advisers will jointly do the utmost to ensure that

- the highest-possible standard of maintenance will be provided for our resort to ensure cleanliness & a pleasant atmosphere
- that the property-value will ideally remain on an encreasing tendency, respectively to avoid that a bad management of the common property areas will result in a decrease of the value
- that all financial matters are being handled in a most proper and accurate manner.

## **2.3 Why a Board of Advisers**

While all owners are entitle to know everything about all the Miami Green business activities, it is realistically seen not possible that all owners would actually remain involved - that's why the lawmaker invented the Council as the office of all owners.

For the Miami Green Resort the owners have gone one step further and agreed to invent such Board of Advisers to support their Council with the personal expertise of its members in property management.

The number of the BoA-members is limited to 10 fellow-owners, the Council will decide on proposals and applications by majorityvote.

## **2.3 How to become a member of the BoA**

All fellow-owners with personal experience in property management are most welcome to volunteer for this pro bono function. Likewise, the Chairperson of our Council may approach any fellow-owner initiatively and request her/him to kindly join this Board.

Members of the Board of Advisers may resign from their board-function at any time.

- Reference**
- **the Miami Green General Key Policies**
  - **the Internal Rules of our Management Corporation**