

Date: 3 July 2023
File ref.: CPB-1005-LET-0181



Worley Services Pty Ltd
Craig Ramm
Engineer Representative
Level 1, 93-95 William Street
Perth WA 6000

Attention: Mr Craig Ramm

Dear Sir,

CONTRACT NO. WR/C/CC/1005

WESTERN RANGE PROJECT – MAIN INFRASTRUCTURE BULK EARTHWORKS

Clause 9.2 Notice of potential Variation; Clause 56.2(a) Notice of anticipated delay

RE: VAR-0091/NOD-0091: Services Locations with Non-Destructive Excavation (LV29, CV703, TF703, LV16)

In accordance with the General Conditions of the Contract, the Contractor notifies the Engineer that the Contractor:

1. reasonably believes a Variation to the Works has occurred in the absence of a Direction by the Engineer (with reference to Clause 9.2); and
2. is of the opinion a potential delay to the Completion of the Works and/or Milestones has occurred (with reference to Clause 56.2 and Delay Event Clause 56.1(f)).

As part of this notification the Contractor refers to the following documents:

1. Letter CPB-1005-LET-0137 from the Contractor, titled “VAR-0060/NOD-0060: Composite Services Model (GPR Survey) Variation Update”, issued via Aconex correspondence CPB Con-PRCO-000135, 9 June 2023.
2. Technical Query #168, reference WRMI-TQ-CPB-00168, issued via Aconex correspondence CPB Con-TECHQ-000166, on 30 June 2023.
3. As Surveyed Drawings undertaken by the Contractor.

1. DETAILS

As noted within Letter CPB-1005-LET-0137, the Contractor was required to undertake additional survey GPR works as no composite services model was provided by the Engineer.

The Contractor has provided the survey results to the Engineer via Technical Query #168, with query as to the resolution of the services located (i.e. what is to be removed or relocated). The survey results (refer **Attachment 1**), that have required additional non-destruction works to further locate service depths using a Vacuum truck.

2. NOTICE OF VARIATION

The Contractor believes this work constitutes a potential Variation under the Contract.

The Contractor confirms that it is proceeding on the basis of undertaking the Works and estimates the costs of the Works to total \$120,000.00.

Once completed the Contractor will request the Engineer to issue a determination to confirm the Direction and value accordingly in accordance with Clause 9.3 of the Contract. The Contractor will issue a further update by 31 July 2023, in accordance with Clause 9.2(b).

3. DELAY NOTICE

The Contractor is also currently reviewing any associated delay impacts and shall provide a further update by 31 July 2023. The Contractor is currently unable to provide the anticipated impact of the delay as the Works are ongoing and due to other unresolved pending delays, however estimates there is approximately a month of work required by the vacuum truck.

4. MITIGATION

The Contractor shall continue to liaise closely with the Engineer to minimise the potential impact of this change and is proceeding with these works to mitigate against potential delay, whilst awaiting formal Direction.

The Contractor reserves all its rights under the Contract and at law.

Yours sincerely

CPB Contractors Pty Ltd



Richard Walford

Contractor's Representative

Attachment 1 – As Surveyed Drawings undertaken by the Contractor.