

Date: 03 March 2023
File ref.: CPB-1005-LET-0032



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 Variation Initiated by the Contractor;
Clause 56.1 Delay Events
RE: VAR-0019 to 0031 / NOD-0019 to 0031 – Transmittals Issued by the Engineer

The Contractor notifies the Engineer of the following:

- in accordance with clause 9.2 the Contractor reasonably believes that a Variation to the Works has occurred in the absence of a Direction by the Engineer;
- in accordance with clause 56.1, of a potential delay to the completion of Milestones and/or achievement of Practical completion

DETAILS

The Contractor has received 49 Document Transmittals in Aconex since the inception of the Project through until 22 February 2023, although the Contractor notes several of these Transmittals relate to the return of Contractor's Documentation (management plans, place-holders etc).

The Contractor confirms the Documents received within many of these Transmittals relate to changes already identified by the Contractor. However, the Contractor has identified the following additional changes, and assigns the following Variation numbers for tracking purposes:

VAR REFERENCE	Mail No	DATE	DOCUMENTS
VAR-0019	WR-TRANSMIT-003577	21-Dec-2022	7
VAR-0020	WR-TRANSMIT-003860	13-Jan-2023	16
VAR-0021	WR-TRANSMIT-003884	13-Jan-2023	9
VAR-0022	WR-TRANSMIT-004036	25-Jan-2023	1
VAR-0023	WR-TRANSMIT-004165	02-Feb-2023	2
VAR-0024	WR-TRANSMIT-004248	09-Feb-2023	1
VAR-0009	WR-TRANSMIT-004327	14-Feb-2023	1
VAR-0025	WR-TRANSMIT-004335	14-Feb-2023	1
VAR-0026	WR-TRANSMIT-004343	14-Feb-2023	1
VAR-0027	WR-TRANSMIT-004379	16-Feb-2023	6
VAR-0028	WR-TRANSMIT-004440	20-Feb-2023	1

VAR REFERENCE	Mail No	DATE	DOCUMENTS
VAR-0029	WR-TRANSMIT-004445	20-Feb-2023	8
VAR-0030	WR-TRANSMIT-004449	20-Feb-2023	2
VAR-0031	WR-TRANSMIT-004455	20-Feb-2023	2

Please refer to **Attachment 1** listing all Transmittals received to date and Contractor's comments against each Transmittal.

NOTICE OF VARIATION

The Contractor believes these Transmittals constitute Variations under the Contract. The Contractor requests the Engineer to confirm these Directions in writing so that the Variation may be assessed under clause 9.1 of the Contract.

The Contractor is unable to quantify the impact of these Variations at this stage, however the Contractor has elaborated some of the impacts within **Attachment 1**.

DELAY NOTICE

The Contractor is unable to quantify the impact at this stage, however the Contractor has elaborated some of the potential Delay impacts within **Attachment 1**.

MITIGATION

The Contractor is incorporating these changes into their planning in order to mitigate Delays wherever practical.

The Contractor shall provide further information as it becomes available. Notwithstanding, the Contractor proposes to discuss and agree the priorities with the Engineer so that each of these changes may be resolved in a timely manner.

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

CPB Contractors Pty Ltd

pp **Richard Walford**
Contractor's Representative

Attachment 1 – Transmittal List