

Date: 28 March 2023
File ref.: CPB-1005-LET-0042



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 9.1 Notice of Variation; Clause 56.2(a) Notice of anticipated delay
RE: VAR-0035/NOD-0035: Postponement of Mobilisation of Contractor’s Personnel to Site

In accordance with the General Conditions of the Contract, and in response to the Direction from the Engineer, received 24 March 2023 via Aconex mail correspondence WR-PRCO-000596 the Contractor notifies the Engineer that the Contractor:

1. hereby submits its statement advising of its opinion that there may be an impact of the Variation on the Contract Price (with reference to Clause 9.1); 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).

The Contractor refers to the following documents:

1. Letter reference 1005-0027, from Engineer titled “DIRECTION TO POSTPONE MOBLISATION OF CONTRACTOR’S PERSONNEL TO SITE”, dated 24 March 2023.

1. DETAILS

The Contractor received the direction from the Engineer to postpone mobilisation of the Contractor’s personnel to Site (refer **Attachment 1 Letter 1005-0027**, received at 8:09PM, 24/03/23 via Aconex).

The Contractor acted immediately to coordinate its Personnel accordingly.

Within Letter 1005-0027 the Engineer specified which personnel the Contractor was to postpone – however, over the subsequent weekend, the Contractor was further advised by the Engineer’s Project Support team that mobilisation of all of Contractor’s personnel had been postponed for the 27 March 2023 – with the exception of one (1) Operator who had already commenced driving to site on 24 March 2023.

2. NOTICE OF VARIATION

The Contractor in its opinion considers that the Variation Direction may impact the Contract Price, however, is currently unable to determine the impact. The Contractor additionally advises that the rescheduling of Personnel on late notice, may impact its onboarding and ongoing retention of Personnel.

The Contractor has complied with the Direction and shall proceed to prepare a detailed impact of the Variation on the Contract Price, in accordance with Clause 9.1(c). Should the Contractor be unable to advise of the impact within the required time frame, the Contractor will advise the Engineer accordingly.

3. DELAY NOTICE

Accordingly, the Contractor advises there has been a Delay Event with reference to Clause 56.1(f) with potential delay to the Completion of the Works and/or Milestones. The Contractor is currently unable to finalise and advise the anticipated impact of this delay.

The Contractor shall continue to liaise closely with the Engineer to minimise the potential impact of this change.

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 – Letter 1005-0027 from the Engineer, titled "DIRECTION TO POSTPONE MOLISATION OF CONTRACTOR'S PERSONNEL TO SITE", dated 24 March 2023, received via Aconex reference WR-PRCO-000596.