

Date: 6 April 2023
File ref.: CPB-1005-LET-0050



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(h) Notice of Variation Completion and impact; Clause 56.2(c) Notice of delay cessation
RE: VAR-0015/NOD-0015: Bus Schedule Variation Impact

In accordance with the General Conditions of the Contract, and with reference to the below correspondence and communications, the Contractor hereby notifies the Engineer that:

1. the impact associated with the Variation is complete as of 3 April 2023 (albeit there are ongoing changes associated with the permanent accommodation as detailed below) and the Contractor hereby submits the impact of the Variation on the Contract Price (with reference to Clause 9.1(h)); and
2. the Delay Event has ceased, and the Contractor will prepare an extension of time Claim (with reference to Clause 56.2(c)).

The Contractor refers to the following documents:

1. Letter reference CPB-1005-LET-0018, from the Contractor titled “VAR-0015 and NOD-0015 Changes to Bus Schedule”, dated 21 February 2023;
2. Letter reference CPB-1005-LET-0043, from the Contractor titled “Delay Update 31/03/23”, dated 31 March 2023; and
3. Weekly Progress Meeting Minutes, Meeting Number 05, held 15 February 2023, Doc No: WPM1005-05.

1. DETAILS

On 21 February 2023 the Contractor notified the Engineer in writing that the then current bus schedule from Punurunah (Marandoo) Camp to site is not in line with the Contract requirements (with reference to Tender Documents Technical Clarification Item No. 50, Tenderer response dated 21/09/22), further to previous discussions with the Engineer (refer **Attachment 1 Letter CPB-1005-LET-0018**). The Contractor was advised at the Weekly Progress Meeting (15/02/23, refer minutes WMP1005-05, item 10.0) that the bus schedule was temporary and that the Contractor would be able to implement a full 13.75hr “door to door” shift soon.

The Contractor has been unable to provide further updates of the impact to the Contract for the interim due to the unknown duration of the bus schedule before being revised.

As of 3 April 2023, the bus schedule had not been revised. The Contractor has been verbally advised of anticipated changes to the use of the permanent accommodation that was to be available from 3

April 2023. The Contractor will notify the Engineer of any impacts associated with the changes to the use of permanent accommodation in accordance with the Contract shortly, however, to finalise costs due to the bus schedule to the 3 April 2023, the Contractor hereby submits its costs accordingly.

2. VARIATION IMPACT

The Contractor provides the attached breakdown of costs associated with the Variation as per **Attachment 2 VAR-0015 Bus Schedule: Financial Breakdown of Standby Costs**, in accordance with Clause 9.1(h). The total impact of the Variation to the Contract Price is **\$289,631.20**. This impact is due to the costs of the impacted plant on site, which the Contractor has applied the standby rates from the Contract (Schedule A.7) for a duration of 60 minutes for each day the plant was on standby on site, until 3 April 2023. No additional labour costs have been claimed.

Any impacts to the Contract Price associated with the change in permanent accommodation will be claimed separately.

3. DELAY IMPACT

The Contractor advises this Delay Event has now ceased as of 3 April 2023 – the Contractor advises the ongoing Delay impact associated with extended travel from Punurunah (Marandoo) Camp beyond 3 April 2023 shall be addressed under a separate notification. The Contractor is currently preparing an extension of time Claim in accordance with 56.2(c)(ii).

The Contractor is available to discuss and clarify the above with the Engineer should there be any queries.

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 CPB-1005-LET-0018 from the Contractor, titled “VAR-0015 and NOD-0015 Changes to Bus Schedule”, dated 21 February 2023, issued via Aconex reference CPB Con-PRCO-000007.

Attachment 2 – VAR-0015 Bus Schedule: Financial Breakdown of Standby Costs, dated 6 April 2023.