

Date: 9 June 2023
File ref.: CPB-1005-LET-0143



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
RE: Response to Letter Ref. 1005-0059 -Update on Delay Events

Please find detailed below our response to your correspondence Ref. 1005-0059 regarding our delay update issued under our ref CPB-Letter-0073 on 28 April 2023.

The Engineer states in Paragraph three, that they have responded to certain delays and that particular delays have ceased. For clarity could the Engineer please detail these so that we may respond individually to the concerns. It is difficult to confirm which items the Engineer is referring to

Within Paragraph four of the Engineers letter there is again reference to particular “ceased” events, again the Contractor requests clarity on these events.

Paragraph six confirms that the Engineer is currently reviewing the contractors Claims against the Contractor seeks clarity on the individual claims under review.

The Engineer then confirms that the in principal agreement agreed at the commercial review meetings is acceptable. The Contractor concurs again with this approach, the agreed in principal approach review on completion the following potentially predominant delay events and produce an impacted programme of works on the Baseline programme (yet to be formally approved). The Contractor will issue EOTs for the following delays under the existing individual NOD's

Potential Predominant delays

- Clearing approvals both in delay and size (Uneconomical areas)
- Proposed rescheduled by Worley / Principal as discussed and agreed
- Delay in issuing the AR variation requirements and the implications
- Pre-cast tunnel supply, installation, scope growth, out of sequence working and impact on works in the areas impacted by the tunnels.
- Additional works (Dayworks) carried out by Contractor

The Engineer then requests further, and better particulars all linked to the current approved programme as of the date of this letter the Programme is still not approved and therefore it would be impossible to achieve your request especially within the timeframe stipulated. Additionally, the Contract states that this request would follow the submission of the EOT.

Your final request is to incorporate a further 6 items of information on delays that were not included within the Delay update, upon review of these items the delays are still all ongoing and none have ceased, additionally some of the detailed information has only just been issued to us for review. For example, item (f) on your schedule was only issued via Aconex on 29th May 2023. This Heritage approvals report affects multiple areas of the site and needs thorough review and consideration. In regards these items the Contractor considers that the issues are all ongoing and notwithstanding this the time period to respond with detailed impacts is unrealistic.

In conclusion we have reviewed the information within your response and consider that we are managing the NOD process correctly under the contract and in accordance with the agreed methodology at the commercial meetings.

The contractor will close out and finalise EOT's in a timely manner, where possible and will update accordingly if the delay has not finalised.

Should you have any queries or require any further information please do not hesitate to contact us.

Yours sincerely

CPB Contractors Pty Ltd



Richard Walford

Contractor's Representative