

Date: 14 July 2023
File ref.: CPB-1005-LET-0201



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 56.2(c) Extension of Time Claim
RE: EOT-003: Bus Schedule (VAR-0015/NOD-0015)

In line with the Engineer's request within Letter 1005-0075 and in accordance with the General Conditions of the Contract, with reference to Clause 56.2(f), the Contractor hereby issues the Engineer its extension of time Claim resulting from the changes to, and restrictions of the Bus Schedule.

The Contractor refers to the following documents and correspondence:

1. Letter CPB-1005-LET-0018, from the Contractor issued 22 February 2023 via Aconex correspondence CPB Con-PRCO-000007.
2. Letter CPB-1005-LET-0050, from the Contractor issued 6 April 2023 via Aconex correspondence CPB Con-PRCO-000040.
3. Letter 1005-0033, from the Engineer issued 11 April 2023 via Aconex correspondence WR-PRCO-000647.
4. Letter 1005-0034, from the Engineer issued 11 April 2023 via Aconex correspondence WR-PRCO-000648.
5. Letter CPB-1005-LET-0062, from the Contractor issued 26 April 2023 via Aconex correspondence CPB-1005-LET-0062.
6. Letter 1005-0075, from the Engineer issued 09 June 2023 via Aconex correspondence WR-LETTER-0075.
7. Programme BAS-04 approval, issued from the Engineer 20 June 2023 via Aconex correspondence WR-TRANSMIT-007163.

Background Details and Facts

With reference to and as detailed in letters CPB-1005-LET-0018, CPB-1005-LET-0050 and CPB-1005-LET-0062, the Contractor's working hours on Site were restricted because the provided bus schedule, to transport its personnel to and from Site, was not in accordance with Schedule C, Table C.2.2 of the Contract.

In response to CPB-1005-LET-0050, the Engineer completed its assessment and rejected the Contractor's claim and notification (refer letters 1005-0033 and 1005-0034) on the basis of contractual process, its consideration that there was no basis under the Contract and its consideration that the bus schedule did not prejudice the Contractor.

The Contractor responded to this correspondence, with further details explaining the basis for the claim and demonstrating how the Contractor was delayed for the Engineer's consideration (refer CPB-1005-LET-0062). In response the Engineer has provided further commentary on the valuation of the Variation Claim.

Further to CPB-1005-LET-0062, the Contractor hereby submits its extension of time claim for the resultant impact to the Programme.

Impacts to Programme

Accordingly, there has been a Delay Event with reference to Clause 56.1(f), which has resulted in the delay to the Completion of the Works and Milestones, as set out in the table below, which shows the Impacted As Planned delay dates, mitigated Completion dates and claimed days of delay for each Milestone.

Milestone	(A)	(B-A)	(B)	(B-C)	(C)	(C-A)	
	Current Completion Dates (BAS-04)	Calendar Days Delayed to IAP	Revised Completion Dates (BAS-04 IAP)	Mitigated Delay	Revised Mitigated Completion Dates (BAS-04 Mitigation)	Calendar Days Delayed	Revised Completion Dates
1	17-May-23	5	22-May-23	N/A	22-May-23	5	22-May-23
2	28-Jun-23	nil	28-Jun-23	N/A	28-Jun-23	nil	-
3	27-Jul-23	nil	27-Jul-23	N/A	27-Jul-23	nil	-
4	7-Aug-23	nil	7-Aug-23	N/A	7-Aug-23	nil	-
5	15-Aug-23	nil	15-Aug-23	N/A	15-Aug-23	nil	-
6	21-Aug-23	nil	21-Aug-23	N/A	21-Aug-23	nil	-
7	13-Sep-23	nil	13-Sep-23	N/A	13-Sep-23	nil	-
8	18-Sep-23	2	20-Sep-23	N/A	20-Sep-23	2	20-Sep-23
9	30-Sep-23	nil	30-Sep-23	N/A	30-Sep-23	nil	-
10	31-Oct-23	nil	31-Oct-23	N/A	31-Oct-23	nil	-
11	7-Nov-23	nil	7-Nov-23	N/A	7-Nov-23	nil	-
12	12-Nov-23	nil	12-Nov-23	N/A	12-Nov-23	nil	-
13	28-Nov-23	nil	28-Nov-23	N/A	28-Nov-23	nil	-
14	7-Dec-23	nil	7-Dec-23	N/A	7-Dec-23	nil	-
15	15-Dec-23	nil	15-Dec-23	N/A	15-Dec-23	nil	-
16	6-Jan-24	nil	6-Jan-24	N/A	6-Jan-24	nil	-
17	11-Feb-24	nil	11-Feb-24	N/A	11-Feb-24	nil	-
18	4-Apr-24	3	7-Apr-24	N/A	7-Apr-24	3	7-Apr-24
19	7-Apr-24	nil	7-Apr-24	N/A	7-Apr-24	nil	-
All of the Works	10-Jun-24	nil	10-Jun-24	N/A	10-Jun-24	nil	-

Please refer to the attached Impacted As Planned delay analysis based for each impacted Milestone on the Programme (refer **Attachments 1 and 2**), which demonstrates the direct effect of the Delay Event on the abovementioned Completion Dates. The Impacted As Planned delay analysis has been applied to Baseline Programme Revision V04 (BAS-04), as approved by the Engineer on the 20 June 2023, via Aconex correspondence WR-TRANSMIT-007163.

Due to the nature of the Delay Event, where the Contractor's hours on Site were restricted beyond its control, the Contractor has been unable to implement any mitigation strategies that it could reasonably adopt without incurring additional costs.

The Contractor awaits the Engineer's determination and notification of extension of time to the Milestone and Works Completion Dates in accordance with Clause 56.2(f).

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 – Impacted As Planned Programme (PDF Summary)

Attachment 2 – Native file Impacted As Planned Programme