

Date: 11 August 2023
File ref.: CPB-1005-LET-0245



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(b) Statement of potential Variation; Clause 56.2 Delay Event Update
RE: VAR-0102/NOD-0102: Geotextile Layer (CV703 / LV Access Road and Service Corridor access track).

In accordance with Clause 9.2(b) of the General Conditions of the Contract and further to initial notice provided to the Engineer, the Contractor hereby submits a statement to the Engineer:

1. setting out the reasons why the Contractor believes that there is a Variation; and
2. advising of its opinion of the impact of the claimed Variation on the Contract Price and the Completion Date (if any).

The Contractor refers to the following documents and correspondence:

1. Letter reference CPB-1005-LET-0199, from the Contractor titled “VAR-0102/NOD-0102: Geotextile Layer (CV703 / LV Access Road and Service Corridor access track)”, issued 17 July 2023.
2. Technical Query Response to WRMI-TQ-CPB-00170, titled “CV703 & Services Corridor Access Track - Extent Of MIRAFI”, received from the Engineer 5 July 2023, via Aconex correspondence WR-RESTECHQ-000976.
3. Technical Query Response to WRMI-TQ-CPB-00197, titled “Clarification on the Extent of Mirafi”, received from the Engineer 7 August 2023, via Aconex correspondence WR-RESTECHQ-001207.

1. DETAILS

As captured within the initial notice provided to the Engineer on 17 July 2023 (refer *Letter CPB-1005-LET-0199*) the Engineer provided response to Technical Query (TQ) WRMI-TQ-CPB-00170 (refer Attachment 1). As part of the response the Engineer advised that:

... the Contractor must install the woven Geotextile layer, i.e. Mirafi RSI Engineered Woven geotextile (or similar approved equivalent), across the entire footprint of the combined formation of the CV703 / LV Access Rd and Service Corridor access track between CH. 1450 to CH. 1700, where the two formations adjoin.

The Contractor sought further clarification via TQ WRMI-TQ-CPB-00197, regarding the extent of Mirafi required for CV703 and for the service corridor access track. The Engineer advised in its response that:

1. *Extent of Mirafi required for CV703 (combined LV/OLC formation):*
CH.740 TO CH.1160 and CH.1290 TO CH.1620
(as per Plan & Profile Drg. Nos. WR-2150-Y-00041_R1 and WR-2150-Y-00042_R1).
2. *Extent of Mirafi required for Service Corridor Access Track:*
CH.960 TO CH.1140
(as per Plan & Profile Drg. No. WR-1810-Y-00157_R0).

and that the above advice superseded its response to TQ-170.

The Contractor considers the additional Mirafi geotextile layer required as per this correspondence is a Variation to the Contract.

2. IMPACT OF CLAIMED VARIATION ON CONTRACT PRICE

In its opinion the Contractor considers the impact of the claimed Variation on the Contractor Price is **\$72,776.06**, as set out below. These costs are due to additional works that will involve an estimated additional 10,100m² of Mirafi geotextile, and have been valued in accordance with Clause 9.3(a) with the rates that the Contractor considers applicable.

SoR Item	Description	Qty	Unit	Total Unit Rate	Total Amount
2.1.29.5.14	Geotextile (Mirafi Rsi)	10100	m2	\$ 6.93	\$ 69,993.00
2.1.1.01	Flights	151.50	hr	\$ 3.77	\$ 571.16
2.1.1.02	Accommodation	151.50	hr	\$ 14.60	\$ 2,211.90
TOTAL					\$ 72,776.06

In accordance with Clause 9.2 the Contractor requests the Engineer to assess the Variation and issue a Variation document.

3. IMPACT OF VARIATION ON COMPLETION DATES

The Contractor anticipates that this additional work will have an impact of 3 days to its related activities and will submit an extension of time claim accordingly.

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

Yours sincerely

CPB Contractors Pty Ltd



Richard Walford

Contractor's Representative