

Date: 11 September 2023
File ref.: CPB-1005-LET-0291



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 Notice of potential Variation; Clause 56.2(a) Notice of anticipated delay
RE: VAR-0144/NOD-0144 Foundation Beneath MSE Wall Construction

In accordance with the General Conditions of the Contract, the Contractor notifies the Engineer that the Contractor:

1. reasonably believes a Variation to the Works has occurred in the absence of a Direction by the Engineer (with reference to Clause 9.2); 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 and Delay Event Clause 56.1(f)).

As part of this notification the Contractor refers to the following documents:

1. Drawing reference: WRY3015-D01-0002_R4
2. Email conversation with the Engineer titled "External Foundations beneath Reinforced Earth Structure".

1.Details

A Joint site inspection was performed on 29 August 2023 by the Contractor and the Engineer for Foundations works beneath Reinforced Earth Structure for MSE wall. This inspection concluded with the Engineer directing the Contractor to compact foundation and conduct two NDM Tests. On 30 August 2023 the Contractor submitted the results of the NDM Tests. On 1 September 2023 the Engineer advise the Contractor that minimum specification is not achieved in the test result and directed to carried out additional works.

The Contractor performed extra work and additional testing on 4 September 2023 as per the Engineer direction to fulfill specification. These includes boxing out 150mm and replaced boxout material with imported fill, Moisture conditioning, compacting using a smooth drum roller and compacted conducted 15 DCP's at nominated locations in the presence of a Geotechnical Engineer. The Engineer approved the Contractor work on 5 September 2023.

2.NOTICE OF VARIATION

The Contractor believes this correspondence constitutes a potential Variation under the Contract. The Contractor notes that incorporating these changes will result in cost impact incurred due to required

treatment to existing base to achieve satisfactory results, and delay in MSE wall construction as per Engineer advice.

Once reviewed the Contractor will request the Engineer to issue a determination to confirm the Direction and value accordingly in accordance with Clause 9.3 of the Contract. The Contractor will issue a further update by 9 October 2023 in accordance with Clause 9.2(b).

3. DELAY NOTICE

The Contractor confirms that there is a delay impact and will provide a further update by 9 October 2023. The Contractor is currently unable to provide the anticipated impact of the delay.

4. MITIGATION

The Contractor shall continue to liaise closely with the Engineer to minimise the potential impact of this change and is proceeding with these works to mitigate against potential delay, whilst awaiting formal Direction.

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 – Drawing “WRY3015-D01-0002_R4”

Attachment 2 – Email conversation with the Engineer “External Foundations beneath Reinforced Earth Structure”