

Date: 20 Sept 2023  
File ref.: CPB-1005-LET-0303



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-151/NOD-151: Additional Clearing for Access & Haul Road construction for CPB and other Contractors**

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)).

The Contractor refers to the following documents:

1. PROPOSED CLEARING PERMIT\_WR-CP-275
2. New haul road MSE wall area

### **1. DETAILS**

The Client has directed the Contractor carry out additional scope. The scope includes Clearing and grubbing, topsoil stripping and access road construction in the ROM-MSE Wall south location. (Refer to attachment 1 “PROPOSED CLEARING PERMIT\_WR-CP-275” and attachment 2 “New haul road MSE wall area”). The access road will be intended for use by CPB and other contractors.

### **2. NOTICE OF VARIATION**

The Contractor believes this constitutes a potential Variation under the Contract.

The Contractor confirms that it is proceeding on the basis of incorporating the revised information and is currently reviewing the information to fully ascertain the impacts, if any.

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 in 20 working days, in accordance with Clause 9.2(b).

### **3. DELAY NOTICE**

The Contractor is also currently reviewing the associated delay impacts and shall provide a further update in 20 working days. The Contractor has had to reallocate resources from ongoing other scope

areas to complete this request for the Client. The Contractor is currently unable to provide the anticipated impact of the delay due to works being ongoing.

#### **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**