

Date: 3 November 2023
File ref.: CPB-1005-LET-0385

Attention: Craig Ramm, Engineer Representative
Worley Services Pty Ltd
Level 1, 93-95 William Street
Perth WA 6000

Dear Craig,

CONTRACT NO: WR/C/CC/1005
WESTERN RANGE PROJECT – MAIN INFRASTRUCTURE BULK EARTHWORKS
Clause 9.2 Notice of Variation; Clause 56.2(a) Notice of anticipated delay

REFERENCE: VAR-186/NOD-186

VARIATION: Stop Work at BSA06E

The Contractor refers to the above Contract. Capitalised words within this correspondence have the same meaning as in the Contract.

Statement of Variation impact - Clause 9.2(a)	
The Contractor reasonably believes a Variation to the Works has occurred in the absence of a Direction by the Engineer.	
Details of claimed Variation	
Reference	1. Email conversation from the Engineer Civil Supervisor, subject "Stop Work - BSA06 Work" received 28 October 2023
Details	<p>On 28 October 2023 the Engineer has directed the Contractor to stop works for topsoil stripping, screening, and removal of pavement material at BSA06E. Same day the Contractor stopped the work as per the Engineer direction. The Engineer via email told the Contractor (<i>refer attachment 1: Stop Work - BSA06 Work</i>) that they are directed to stop works at BSA06E due to excessive dust produced during these activities.</p> <p>As detailed within the Project Construction Environmental Management Plan (CEMP) and the Soil Resource Management Work Practice, the Contractor is not permitted to do Dust suppression works for topsoil. Dust suppression works is only utilized on haul roads works and the Contractor is doing it accordingly. Excessive dusts were created on site due to windy weather condition. Due to the stop work direction from the Engineer the Contractor has put all its plant and personnel working at BSA06E in standby mode and waiting for further direction from the Engineer.</p>
Effect of the Variation on the Completion Date - Clause 56.2(a) and Clause 56.1(f)	
Delay to the Completion Date	Pursuant to Clause 56.2(a) and with reference to Clause 56.1(f), the Contractor anticipates that there will be a delay to the performance of the

	Works at least equal with the direct manhours incurred in performing this Variation.
The Contractor anticipates potential delay to the Completion of the Works and/or Milestones. The Contractor is currently unable to finalize and advise the anticipated impact of this delay as the Contractor still awaiting information from the Engineer to complete the works.	
Opinion of the impact of claimed Variation to the Contract Price - Clause 9.2(b)	
The Contractor provides the following pricing for the performance of the Variation.	
Impact to Contract Price	The Contractor is currently unable to determine in its opinion the impact of the Variation on the Contract Price as the Contractor is still waiting for the further Engineer direction to start works at BSA06E. Currently the Contractor has put all its plants and personnel working in BSA06E on standby as per the Engineer direction which will have impact in the contract price.
Qualifications	Nil.

The Contractor trusts that this provides the requisite information to allow the Company to issue a Variation Direction to confirm the Variation.

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

Yours sincerely,

CPB Contractors Pty Ltd



Richard Walford

Contractor's Representative

Att.:

Annexure A 1. Email from the Engineer "Stop Work - BSA06 Work"