

Date: 20 December 2023  
File ref.: CPB-1005-LET-0463

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-0231/NOD-0231**

**VARIATION: Tunnel 02 Installation Delays**

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

<b>Notice of potential Variation - Clause 9.2(a)</b>	
The Contractor reasonably believes a Variation to the Works has occurred in the absence of a Direction by the Engineer.	
<b>Details of claimed Variation</b>	
Reference	Letter CPB-1005-LET-00153 from the Contractor, regarding EOT-001: Delays to Clearing Works Letter CPB-1005-LET-0185 from the Contractor, regarding EOT-002: Tunnels Supply. Letter CPB-1005-LET-0378 from the Contractor, regarding Tunnel 02 IFC drawing change.
Details	<p>Further to ongoing correspondence and discussion between the Engineer, Company and Contractor regarding delays (with reference, but not limited to the abovementioned correspondence, i.e., clearing permit delays, tunnels supply, changes to tunnel IFC and footings documentation etc.), the Contractor has been delayed multiple times by causes beyond its control. The Contractor maintains its entitlement to its extension of time (EOT) claims under Contract as it has claimed.</p> <p>As a result of these delays, the installation dates of the Tunnel 02 arches were impacted. The Tunnel 02 arches were originally planned as per the Baseline Programme (Schedule G of the Contract) to be installed in June 2023.</p> <p>The actual dates for the installation of the Tunnel 02 arches were 05 December 2023 to 12 December 2023.</p> <p>During the dates of installation, the Contractor and the tunnel arch installation works were subject to wind conditions that prevented the continual installation of the tunnel arches and</p>

<p>resulted in stand down time for the Contractor's Personnel and its Subcontractor (Crane Corp). These dates were:</p> <ol style="list-style-type: none"> <li>1. Wednesday 06/12/2023 – 1.5hr delay (noted Red Alert also issued at 4:00pm);</li> <li>2. Saturday 09/12/2023 – Crane not in operation all day, no panels installed due to excessive winds.</li> </ol> <p>It's noted that the cranes cannot operate in wind speeds in excess of 10m/s (36km/hr) in accordance with the Lift Study.</p> <p>With reference to the Bureau of Meteorology (BOM) statistics (refer Annexure A) for wind conditions in Paraburdoo in June (when the Contractor had originally planned to install in accordance with the Baseline Programme) and December (when the Contractor installed), it can be observed that the wind gusts and speeds in December are more severe than in June.</p> <p>The Contractor notes it had not made allowance for such impacts to the Tunnel arch installation works, with reference to the Basis of Schedule (refer CPB Con-DOCSUB-000004) submitted with the Baseline Programme.</p> <p>Accordingly, due to the previous delays experienced and resultant further delay experienced on site during the time of the Tunnel 02 arch installation the Contractor hereby submits its claim for the associated standby time of its Personnel and Subcontractor and for the further delay experienced.</p>	
<p><b>Effect of the Variation on the Completion Date - Clause 56.2 and Clause 56.1(f)</b></p>	
<p>Delay to the Completion Date</p>	<p>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 due to this Variation.</p>
<p>The Contractor anticipates potential delay to the Completion of the Works and/or Milestones of 1 day to several Milestones. The Contractor will prepare an EOT accordingly.</p>	
<p><b>Opinion of the impact of claimed Variation to the Contract Price - Clause 9.2(b)</b></p>	
<p>The Contractor provides the following pricing for the performance of the Variation.</p>	
<p>Impact to Contract Price</p>	<p>An impact to the Contract Price of <b>\$43,372.64 (ex. GST)</b>. Please refer to the attached financial breakdown.</p>
<p>Qualifications</p>	<p>The above price impact is based upon the stand down time for the impacted Personnel as shown in the cost breakdown provided in Annexure B, only.</p> <p>This does not include any prolongation costs.</p>

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** BOM Statistics for Paraburdoo (June 2023 and December 2023)  
**Annexure B** Cost Breakdown for VAR-0231

**Annexure A: BOM Statistics for Paraburdo (June 2023 and December 2023)**

June 2023 – [Paraburdo, WA - June 2023 - Daily Weather Observations \(bom.gov.au\)](https://www.bom.gov.au)

## Paraburdo, Western Australia June 2023 Daily Weather Observations

Date	Day	Temps		Rain	Evap	Sun	Max wind gust			9 am					3 pm						
		Min °C	Max °C				Dir	Spd km/h	Time local	Temp °C	RH %	Cld g <sup>th</sup>	Dir	Spd km/h	MSLP hPa	Temp °C	RH %	Cld g <sup>th</sup>	Dir	Spd km/h	MSLP hPa
1	Th	8.2	27.0	0			S	28	11:02	19.4	19		Calm	1017.4	26.5	18		SE	9	1014.1	
2	Fr	10.3	26.9	0						20.0	41		E	20	1018.5	26.0	21		WSW	9	1014.3
3	Sa	8.6	25.9				ENE	28	10:02	18.3	37		E	15	1017.5	24.6	18		NNW	6	1013.5
4	Su	11.2	27.6	0			NW	35	13:39	18.1	33		ENE	26	1015.1	27.1	16		WNW	20	1010.9
5	Mo	9.7	26.1	0			W	57	15:55	18.5	59		Calm	1013.2	24.9	32		NW	17	1009.3	
6	Tu	14.4	23.1	0			WSW	41	01:55	17.5	65		W	11	1015.3	21.7	33		WSW	19	1013.4
7	We	7.1	22.1	0			S	28	13:21	16.2	58		SE	6	1020.6	21.3	34		S	15	1017.8
8	Th	7.9	24.9	0			N	28	09:51	17.4	42		ENE	17	1021.6	24.2	23		SW	6	1017.1
9	Fr	9.6	26.2	0						18.5	32		ENE	20	1019.0	25.5	16		WSW	11	1014.3
10	Sa	9.1	27.2				WSW	30	14:41	18.7	26		ENE	15	1016.9	26.0	23		W	17	1013.3
11	Su	9.2	26.8	0			W	30	12:51	19.4	35		ENE	6	1017.4	26.1	20		W	13	1013.9
12	Mo	10.4	24.9	0			E	37	09:42	17.5	51		ESE	17	1020.9	24.3	25		E	15	1016.8
13	Tu	11.4	27.2	0			ENE	35	08:41	18.0	30		ENE	24	1020.3	26.4	16		W	9	1016.0
14	We	8.4	26.8	0			W	28	12:48	19.4	21		ENE	15	1020.4	25.9	15		WNW	9	1016.7
15	Th	9.3	26.7	0			E	26	15:19	17.8	22		NE	9	1020.1	26.0	13		SW	11	1015.6
16	Fr	8.9	26.5	0			WNW	26	12:57	17.6	22		ENE	13	1018.1	25.4	18		WSW	17	1014.3
17	Sa	15.9	23.0	0			NNW	24	13:03	19.6	27		ENE	11	1019.1	20.9	35		NW	17	1016.9
18	Su	13.2	21.5	0			NE	26	19:11	17.1	44		NE	4	1019.2	17.1	58		ESE	6	1016.6
19	Mo	12.9	23.0	6.6			ENE	31	03:22	14.8	91		ENE	13	1016.6	22.5	56		N	13	1012.5
20	Tu	14.8	22.8	0.2			W	22	13:00	16.9	75		NE	11	1015.0	21.9	55		SSW	13	1012.3
21	We	8.7	20.8	0			SSW	30	13:25	15.0	65		S	9	1019.1	20.6	32		SSW	15	1016.0
22	Th	5.9	20.8	0			N	31	15:31	13.7	52		E	15	1020.7	20.5	26		N	11	1016.7
23	Fr	4.4	20.9	0			SW	20	14:45	14.1	47		NE	9	1019.2	20.0	25		SW	13	1015.3
24	Sa	5.6	22.3	0			ESE	33	10:33	15.4	53		ENE	17	1018.3	21.0	29		SSE	6	1014.1
25	Su	7.1	22.1	0			WNW	24	13:20	13.5	56		NE	13	1015.9	21.0	27		NW	17	1012.2
26	Mo	4.6	20.9	0			SW	26	14:21	14.6	46		Calm	1015.9	20.5	28		WSW	13	1012.6	
27	Tu	5.7	19.8	0			ESE	43	13:55	11.2	51		ESE	20	1020.0	19.0	18		SE	24	1017.7
28	We	7.9	20.0	0			SE	52	13:08	12.0	50		E	20	1024.7	19.2	26		ESE	24	1021.1
29	Th	8.6	19.4	0			E	41	21:48	12.2	50		E	28	1024.9	18.9	26		ESE	24	1020.1
30	Fr	7.6	19.9	0			ENE	46	08:13	11.8	42		ENE	28	1022.8	19.7	22		ESE	26	1019.1
<b>Statistics for June 2023</b>																					
Mean		9.2	23.8							16.5	44			13	1018.8	22.8	26		14	1015.1	
Lowest		4.4	19.4	0						11.2	19		Calm	1013.2	17.1	13		#	6	1009.3	
Highest		15.9	27.6	6.6			W	57		20.0	91		#	28	1024.9	27.1	58		ESE	26	1021.1
Total				6.8																	

IDCJDW6105.202306 Prepared at 13:03 UTC on Wednesday 6 December 2023

## Paraburdoo, Western Australia December 2023 Daily Weather Observations

Date	Day	Temps		Rain mm	Evap mm	Sun hours	Max wind gust			9 am				3 pm								
		Min	Max				Dir	Spd	Time	Temp	RH	Cld	Dir	Spd	MSLP	Temp	RH	Cld	Dir	Spd	MSLP	
		°C	°C				km/h	km/h	local	°C	%	g <sup>th</sup>	km/h	hPa	°C	%	g <sup>th</sup>	km/h	hPa			
1	Fr	19.7	41.5	0			WNW	41	23:32	32.0	16		SSW	11	1005.4	40.3	8		E	11	1000.9	
2	Sa	25.6	42.0	0			WNW	41	00:54	31.0	30		NW	13	1005.9	40.4	11		N	13	1002.3	
3	Su	27.3	43.8	0			N	54	21:05	32.2	31		WNW	11	1007.8	42.6	11	1	SE	11	1003.3	
4	Mo	27.6	44.1	0			NNW	43	20:52	35.2	21		S	6	1008.5	43.2	7	1	WSW	9	1004.1	
5	Tu	25.2	44.7	0			NNW	43	14:29	37.5	19		SSW	6	1008.4	43.1	7	8	N	9	1003.7	
6	We	28.3	44.6	0			N	72	15:35	38.0	15		SW	7	1007.4	40.4	12	4	SSW	22	1003.3	
7	Th	29.2	42.9	0			WSW	46	16:35	35.3	19		NW	7	1007.0	41.6	11		SW	26	1002.9	
8	Fr	25.3	39.9	0			SW	39	13:35	34.4	14		S	13	1008.4	38.9	11	1	SW	22	1005.0	
9	Sa	24.0	39.9	0			ESE	54	07:48	32.6	28		ESE	30	1009.2	39.3	15		SE	28	1005.2	
10	Su	23.8	36.5	0			E	52	02:17	27.4	13		ESE	31	1013.7	35.6	5		ESE	28	1008.7	
11	Mo	21.8	35.7	0			E	52	01:27	26.8	13		E	24	1013.9	34.4	5		ESE	15	1008.4	
12	Tu	20.2	38.0	0			ENE	35	07:41	30.6	8		NE	17	1010.6	36.9	5		SW	19	1005.5	
13	We	19.4	40.8	0			NE	35	11:08	33.6	16		SE	9	1007.9	39.0	5		N	9	1004.6	
14	Th	21.7	42.7	0			NNW	43	22:21	34.7	13		NE	7	1007.5	40.8	5		E	9	1003.6	
15	Fr	23.2	44.0	0			NNE	50	13:40	36.3	12		W	13	1005.4	42.0	5		NNE	15	1001.3	
16	Sa	22.9	42.5	0			N	67	13:49	33.6	19		WNW	11	1003.3	41.1	8		NNW	46	999.3	
17	Su	23.8	37.3	0			WSW	43	12:55	27.4	45		WNW	19	1005.3	36.1	13		SSW	19	1002.5	
18	Mo	24.1	40.7	0			W	35	14:55	30.3	32		WNW	6	1006.4	39.8	12		W	20	1002.5	
19	Tu	25.5		0						30.7	37		W	11	1007.2							
<b>Statistics for the first 19 days of December 2023</b>																						
Mean		24.1	41.2							32.6	21			13	1007.9	39.8	8	3		18	1003.7	
Lowest		19.4	35.7	0						26.8	8		#	6	1003.3	34.4	5	1	#	9	999.3	
Highest		29.2	44.7	0			N	72		38.0	45		ESE	31	1013.9	43.2	15	8	NNW	46	1008.7	
Total				0.0																		

IDCJDW6105.202312 Prepared at 02:20 UTC on Tuesday 19 December 2023

**Annexure B Cost Breakdown for VAR-0231**

Item	Description	Resource ID	Rate	Qty	Cost	Comment
<b>1.0</b>	<b>Costs for 06/12/2023</b>					<b>1.5hrs Disrupted in the Day</b>
<b>1.1</b>	<b>CPB Labour</b>					
1.1.1	Adam Curtis	Construction Worker Grade 3	137.80	1.5	\$ 206.70	A.7.2 Standby Rate Applied
1.1.2	Paul Downie	Plant Operator Grade 5	143.50	1.5	\$ 215.25	A.7.2 Standby Rate Applied
1.1.3	Jason Barker	Carpenter	149.50	1.5	\$ 224.25	A.7.2 Standby Rate Applied
1.1.4	Brad Ackland	Crane Operator 40T to 100T	159.70	1.5	\$ 239.55	A.7.2 Standby Rate Applied
1.1.5	Ross Clifford	Plant Operator Grade 6	160.00	1.5	\$ 240.00	A.7.2 Standby Rate Applied
1.1.6	Adrian Wikaira	Construction Worker Grade 3	137.80	1.5	\$ 206.70	A.7.2 Standby Rate Applied
1.1.7	Peter Tait	Carpenter	149.50	1.5	\$ 224.25	A.7.2 Standby Rate Applied
<b>1.2</b>	<b>CPB Plant</b>					
1.2.1	EWP		89.00	3	\$ 267.00	A.7.2 Standby Rate Applied (2* 1.5hrs)
<b>1.3</b>	<b>Crane Corp Costs</b>					
1.3.1	120T Crane	Subcontractor Plant	5340.00	2	\$ 1,525.71	Daily Rate (*1.5/10.5)
1.3.2	160T Crane	Subcontractor Plant	6960.00	1	\$ 994.29	Daily Rate (*1.5/10.5)
1.3.3	LV	Subcontractor Plant	130.00	1	\$ 18.57	Daily Rate (*1.5/10.5)
1.3.4	Rigger	Subcontractor Labour	1200.00	3	\$ 514.29	3 Riggers for 1.5hrs - Daily Rate (*1.5/10.5)
1.3.5	Rigging Equipment	Subcontractor Material	544.00	1	\$ 77.71	Daily Rate (*1.5/10.5)
1.3.6	Margin	Margin on Subcontractor Costs	12.50%	-	\$ 391.32	
<b>2.0</b>	<b>Costs for 09/12/2023</b>					<b>Entire Day Disrupted</b>
<b>2.1</b>	<b>CPB Labour</b>					
2.1.1	Adam Curtis	Construction Worker Grade 3	137.80	11	\$ 1,515.80	A.7.2 Standby Rate Applied
2.1.2	Paul Downie	Plant Operator Grade 5	143.50	11	\$ 1,578.50	A.7.2 Standby Rate Applied
2.1.3	Jason Barker	Carpenter	149.50	11	\$ 1,644.50	A.7.2 Standby Rate Applied
2.1.4	Brad Ackland	Crane Operator 40T to 100T	159.70	11	\$ 1,756.70	A.7.2 Standby Rate Applied
2.1.5	Ross Clifford	Plant Operator Grade 6	160.00	11	\$ 1,760.00	A.7.2 Standby Rate Applied
2.1.6	Adrian Wikaira	Construction Worker Grade 3	137.80	11	\$ 1,515.80	A.7.2 Standby Rate Applied
2.1.7	Peter Tait	Carpenter	149.50	11	\$ 1,644.50	A.7.2 Standby Rate Applied
<b>2.2</b>	<b>CPB Plant</b>					
2.2.1	EWP		89.00	22	\$ 1,958.00	A.7.2 Standby Rate Applied (2* 11hrs)
<b>2.2</b>	<b>Crane Corp Costs</b>					
2.2.1	120T Crane	Subcontractor Plant	5340.00	2	\$ 10,680.00	Daily Rate
2.2.2	160T Crane	Subcontractor Plant	6960.00	1	\$ 6,960.00	Daily Rate
2.2.3	LV	Subcontractor Plant	130.00	1	\$ 130.00	Daily Rate
2.2.4	Rigger	Subcontractor Labour	1200.00	3	\$ 3,600.00	Daily Rate (3 Riggers)
2.2.5	Rigging Equipment	Subcontractor Material	544.00	1	\$ 544.00	Daily Rate
2.2.6	Margin	Margin on Subcontractor Costs	12.50%	-	\$ 2,739.25	
<b>TOTAL</b>					<b>\$ 43,372.64</b>	