C114 – Contractor’s claim for delay costs

(Subclause 34.9 and subclause 41.1)

DATE: [INSERT DATE OF NOTICE]

TO SUPERINTENDENT: [INSERT SUPERINTENDENT]

TO PRINCIPAL: [INSERT PRINCIPAL]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

CLAIM No.: [INSERT IDENTIFICATION NUMBER OF CLAIM]

Prescribed Notice

The Contractor refers to its claim for an EOT identified as claim number [INSERT IDENTIFICATION NUMBER OF CLAIM] dated [INSERT DATE OF CONTRACTOR'S CLAIM FOR EOT IN FORM C103] and to the Superintendent’s direction for an EOT dated [INSERT DATE OF RELEVANT EOT DIRECTED BY SUPERINTENDENT].

The EOT was granted due to a compensable cause, namely:

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| [DETAIL CAUSE OF DELAY AND WHY IT IS A COMPENSABLE CAUSE AS DEFINED IN CLAUSE 1 OF THE GENERAL CONDITIONS OF CONTRACT] |

The Contractor claims delay costs pursuant to subclause 34.9 by way of this prescribed notice pursuant to clause 41.

[OPTION A - CONTRACTOR TO DELETE THIS PARAGRAPH IF NOT APPLICABLE] The Contractor claims the sum of [INSERT COST CLAIMED] (excluding GST) calculated as follows:

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| [INSERT FULL ITEMISED BREAKDOWN OF QUANTUM OR ESTIMATED QUANTUM OF CLAIM IN ACCORDANCE WITH SUBCLAUSE 34.9 (AS IDENTIFIED IN ITEM 26A (CONSTRUCT ONLY) OR ITEM 31A (D&C) OR ATTACH FURTHER SHEETS IF NECESSARY]. |

[OPTION B - CONTRACTOR TO DELETE THIS PARAGRAPH IF NOT APPLICABLE] The extent of the Contractor’s claim for delay costs incurred is not yet known however the Contractor estimates that the quantum of the claim is [INSERT ESTIMATE OF COST CLAIMED] (excluding GST) calculated as follows:

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| [INSERT FULL ITEMISED BREAKDOWN OF QUANTUM OR ESTIMATED QUANTUM OF CLAIM IN ACCORDANCE WITH SUBCLAUSE 34.9 (AS IDENTIFIED IN ITEM 26A (CONSTRUCT ONLY) OR ITEM 31A (D&C)) OR ATTACH FURTHER SHEETS IF NECESSARY]. |

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| --- | --- |
| Signed for and on behalf of the Contractor: |  |
|  |  |
| Signature |  |
|  |  |
| Name |  |
|  |  |
| Date |  |

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| [REMOVE BEFORE SENDING] Notes: | |
| a) | This is a prescribed notice under subclause 41.1, notice of which must be given as soon as practicable after the Contractor becomes aware it has a claim for delay costs under subclause 34.9. |
| b) | The Superintendent is required to assess the claim in accordance with subclause 41.3. |
| c) | The form must be served on the Principal and the Superintendent. |
| d) | As to service of the Form C114, refer to clause 7. |