S105 – SUPERINTENDENT’S DIRECTION FOR AN EXTENSION OF TIME

(Subclause 34.5)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

TO PURCHASER: [INSERT PURCHASER NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

EOT No.: [INSERT IDENTIFICATION NUMBER OF CLAIM]

The Superintendent refers to the Contractor’s claim for an EOT dated [INSERT DATE OF CONTRACTOR’S CLAIM AS PER FORM C103 OR C104 AS APPROPRIATE] and identified as EOT no. [INSERT IDENTIFICATION NUMBER OF CLAIM].

The Superintendent has assessed the EOT to be [INSERT NO. OF WORKING DAYS OF EOT GRANTED] working days.

In making this assessment the Superintendent has reduced the EOT where the delay has been caused by both a non-qualifying cause delay and a qualifying cause of delay namely:

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| --- |
| [INSERT DETAILS OF OVERLAPPING DELAYS OR INSERT NOT APPLICABLE IF NO REDUCTION FOR OVERLAPPING DELAYS] |

The Superintendent has had regard to the following matters, which have not been taken by the Contractor to prevent or mitigate the delay namely:

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| [INSERT DETAILS AS APPROPRIATE] |

The Date for Practical Completion is now: [THE SUPERINTENDENT MAY INCLUDE THIS FOR THE CONVENIENCE OF THE PARTIES]

Please submit an updated construction program for approval accordingly.

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| Signed by the Superintendent: |  |
|  |  |
| Signature |  |
|  |  |
| Name |  |
|  |  |
| Date |  |
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| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | This direction as to an EOT must be notified by written notice within 20 Business Days of receipt the Contractor’s claim for an EOT being made under Form C103 or C104 as appropriate. |
| b) | The Form includes the matters that may be taken into account by the Superintendent under subclause 34.4 when assessing the EOT. |
| c) | As to service of Form S105 refer to clause 7. |