S124 – DIRECTION CONCERNING VARIATION FOR THE CONVENIENCE OF THE CONTRACTOR

(Subclause 36.3)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

VARIATION No.: [INSERT PROPOSED VARIATION NUMBER] – [INSERT PROPOSED VARIATION NAME]

The Superintendent refers to the Contractor’s request dated [INSERT DATE OF CONTRACTOR’S FORM C123] for a variation for the Contractor’s own convenience.

[OPTION A - SUPERINTENDENT TO DELETE THIS PARAGRAPH IF NOT APPLICABLE] The Superintendent does not approve the request.

[OPTION B - SUPERINTENDENT TO DELETE THIS PARAGRAPH IF NOT APPLICABLE] The Superintendent approves the request on condition that the Contractor is not entitled to any extra time for practical completion nor to any extra money in connection with the variation (including anything arising out of the variation which would not have arisen if the direction had not been approved).

[SUPERINTENDENT TO DELETE THIS PARAGRAPH IF NOT APPLICABLE] The Superintendent imposes the following further condition(s) on approval:

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| [DETAIL ANY OTHER CONDITIONS ON THE GRANTING OF APPROVAL. SUCH CONDITIONS SHOULD BE CLEAR AND PRECISE TO AVOID AMBIGUITY] |

The Contractor is reminded that it is not entitled to extra time nor money as a result of this variation.

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| Signed by the Superintendent: | |
|  |  |
| Signature |  |
|  |  |
| Name |  |
|  |  |
| Date |  |

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| [REMOVE BEFORE SENDING] Notes: | |
| a) | The Superintendent is not obliged to approve any variation for the convenience of the Contractor. |
| b) | The approval may be conditional. A condition of approval may be that the Contractor is not entitled to any extra time or cost both in respect to the variation or anything arising out of the variation. |
| c) | Whether or not conditions are imposed by the Superintendent, subclause 36.3 precludes the Contractor from recovering either extra time for practical completion or any extra cost of the variation, unless the Superintendent directs otherwise. |
| d) | As to service of Form S124 refer to clause 7. |