S74 – NOTICE TO REMOVE TEMPORARY WORKS OR CONSTRUCTION PLANT

(Clause 27)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

The Contractor is notified it has failed to remove [DELETE AS APPROPRIATE] \*temporary works/ \*construction plant, namely [SPECIFY THE TEMPORARY WORKS OR CONSTRUCTION PLANT TO BE REMOVED] within 10 Business Days after the Date of Practical Completion.

The Contractor is required to remove those items within 5 days of receipt of this notice, that is by no later than [INSERT APPROPRIATE DATE] otherwise the Purchaser will, without prejudice to the Purchaser’s other rights and remedies under the Contract, have such [DELETE AS APPROPRIATE] \*temporary works/ \*construction plant removed by others at the Contractor’s cost without further notice.

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

|  |  |
| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | If the Purchaser has to have the temporary works or construction plant removed, the Superintendent is required to certify the cost as moneys due from the Contractor to the Purchaser. |
| b) | The right to have temporary works and construction plant removed cannot be exercised until after the Contractor has failed to remove temporary works and/or construction plant within 10 business days after the date of practical completion (or such other time as the Superintendent has allowed), after notice S74 has been given, 5 days have elapsed and the Contractor has failed to comply with the notice. |
| c) | As to service of Form S74 refer to clause 7. |