C42A – NOTICE OF INCONSISTENCY, AMBIGUITY OR DISCREPANCY IN CONTRACTOR’S OBLIGATIONS

(Clause 11)

DATE: [INSERT DATE OF NOTICE]

TO SUPERINTENDENT: [INSERT SUPERINTENDENT NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

The Contractor notifies the Superintendent of an inconsistency, ambiguity or discrepancy in an obligation of the Contractor as follows:

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| [SET OUT DETAILS OF THE INCONSISTENCY, AMBIGUITY OR DISCREPANCY OR CONFLICT IN OR BETWEEN ANY OBLIGATION OF THE CONTRACTOR UNDER ANY OF SUBCLAUSE 11.1 OR CLAUSE 11A] |

Please direct the Contractor as to the interpretation or construction of the [INSERT RELEVANT SUBCLAUSE OR CLAUSE] to be followed by the Contractor in performing its obligations under the Contract.

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

|  |  |
| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | Clause 11 1 requires the Contractor to notify the Superintendent promptly after the Contractor discovers any inconsistencies, etc. in or between any of its obligations under subclause 11.1 or clauses 11A to 11P. |
| b) | In the absence of such a direction from the Superintendent, the Contractor must adopt the interpretation which places the higher or more onerous obligation on the Contractor. |
| c) | As to service of Form C42A, refer to clause 7. |