C114 – Contractor’s claim for delay DAMAGES

(Clause 20.6 and subclause 26.1)

DATE: [INSERT DATE OF NOTICE]

TO PRINCIPAL: [INSERT PRINCIPAL]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

CLAIM No.: [INSERT IDENTIFICATION NUMBER OF CLAIM]

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 Principal’s direction for an EOT dated [INSERT DATE OF RELEVANT EOT DIRECTED BY PRINCIPAL].

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

|  |
| --- |
| [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 damages pursuant to subclause 20.6 by way of this notice of claim pursuant to clause 26.1.

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

|  |
| --- |
| [INSERT FULL ITEMISED BREAKDOWN OF QUANTUM OR ESTIMATED QUANTUM OF CLAIM]. |
|  |

[OPTION B - CONTRACTOR TO DELETE THIS PARAGRAPH IF NOT APPLICABLE] The extent of the Contractor’s claim for delay damages 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:

|  |
| --- |
| [INSERT FULL ITEMISED BREAKDOWN OF ESTIMATED QUANTUM OF CLAIM]. |

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

|  |  |
| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | This is a notice of claim given under subclause 26.1, notice of which must be given as soon as practicable after the Contractor becomes aware it has a claim for delay damages under subclause 20.6. |
| b) | The Superintendent is required to assess the claim in accordance with subclause 41.3. |
| c) | The form must be served on the Principal. |
| d) | As to service of the Form C114, refer to clause 4. |