S34 – APPROVAL TO SUBCONTRACT

(Subclause 9.2)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

The Superintendent refers to the Contractor’s request dated [DATE] [INSERT 'TO SUBCONTRACT' OR 'THAT ITS APPROVED SUBCONTRACTOR FURTHER SUBCONTRACT'] the following work, namely [SPECIFY CLEARLY THE WORK PROPOSED TO BE SUBCONTRACTED].

The Superintendent approves the Contractor’s request to [INSERT 'TO SUBCONTRACT' OR 'THAT ITS APPROVED SUBCONTRACTOR FURTHER SUBCONTRACT'] work provided that:

|  |
| --- |
| [DETAIL ANY CONDITIONS] |

INSERT THIS PARAGRAPH IF APPROVING CONTRACTOR’S REQUEST TO SUBCONTRACT] The Contractor is reminded that subclause 9.2 also requires you to obtain my approval before your subcontractor may further subcontract any part of this work as stated in [IF CONSTRUCT ONLY INSERT 'ITEM 17' OR IF D&C INSERT 'ITEM 19'] of the Annexure Part A to the Contract:

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

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| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | Form S34 has been drafted to allow it to be used when the Contractor is given approval to subcontract. |
| b) | Subclause 9.2 allows the Superintendent to impose conditions for approval. |
| c) | In considering whether to approve a request by the Contractor to use other subcontractors, the Superintendent may, in addition to any other matter which the Superintendent is entitled to consider, also take into account whether the proposed subcontractor is a local supplier (as defined in the Principal’s procurement policy as published at the date of acceptance of tender); or at least 50% owned by Aboriginal or Torres Strait Islander persons, and if not, whether such a supplier is available to undertake the work which is proposed to be subcontracted. |
| d) | As to service of Form S34, refer to clause 7. |