S109 – CERTIFICATE OF PRACTICAL COMPLETION

(Subclause 34.6)

DATE: [INSERT DATE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

TO PURCHASER: [INSERT PURCHASER NAME]

PROJECT NAME: [INSERT PROJECT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

The Superintendent refers to the Contractor's request dated [INSERT DATE OF CONTRACTOR'S FORM C108 OR DELETE THIS SENTENCE IF NO FORM C108 WAS GIVEN] for the Superintendent to issue a Certificate of Practical Completion for [INSERT 'THE WORKS' OR 'SEPARABLE PORTION No. #'].

The Superintendent hereby certifies that Practical Completion of [INSERT 'THE WORKS' OR 'SEPARABLE PORTION No. #'] was reached on [INSERT DATE ON WHICH PRACTICAL COMPLETION WAS REACHED].

The Superintendent reminds the Contractor that the Contractor:

* 1. must rectify all defects existing at Practical Completion as soon as possible after the Date of Practical Completion at times and in a manner causing as little inconvenience to the occupants or users of the Works as is reasonably possible; and
  2. must remove its temporary works and construction plant within 14 days of the Date of Practical Completion.

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

|  |  |
| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | The Superintendent must issue this certificate within 14 days of the Contractor's request (see Form C108) or if the Superintendent is of the opinion that Practical Completion has not been achieved, within that 14 days give reasons why Practical Completion has not been reached. (see Form S110). |
| b) | If the Superintendent fails to respond to the Contractor's request for the issue of this Certificate of Practical Completion within 14 days, the Purchaser will be in substantial breach of the subclause 39.7(b), entitling the Contractor to give a notice to show cause under subclause 39.8. |
| c) | The Contractor is required to remove all temporary works and construction plant within 14 days of Practical Completion (see clause 37). |
| d) | The Superintendent may issue a Certificate of Practical Completion even if the Contractor has not requested the certificate. Delete the first paragraph of this Form if this applies. See generally section 17.1 of Chapter 17 of HB140-2000. |
| e) | As to service of Form S109, refer to clause 7. |