

FORM 5 VARIATION DOCUMENT

(Condition 21 of the General Conditions of QBCC New Home Construction Contract)

NOTE TO CONTRACTOR: This form, which may be copied for multiple use, must be presented to and signed by the Owner **before** you start any work described in the variation.

To: (Owner/s) Bob Brown
(insert name and postal address of Owner/s)

From: (Contractor) ABC Building Contractors

Regarding construction at: 22 Lake Lane, Kawana
(insert Site address)

This document is for a variation: ☐ required by law
☒ for extra excavation and foundations
☐ requested by the Owner/Owner's Representative
☐ requested by the Contractor/Contractor's Representative for the following reasons: (insert reasons)

The change to the Works is as follows: Found soil not suitable to hold foundation. Extra footing designed by Engineer must be approved.
(insert description of the variation including any change to the work or materials required by reason of the variation)

The Contractor's/Contractor's Representative's reasonable estimate of the period of any delay in the Date for Practical Completion that will result from the variation is: 5 Business Days.

NOTE TO CONTRACTOR/CONTRACTOR'S REPRESENTATIVE

If the variation causes you actual delay you must also submit a QBCC Form 2 - Extension of Time Claim and Owner's Response to Claim within 10 Business Days of the earlier of when you became aware of the cause and extent of the delay, or when you reasonably ought to have become aware of the cause and extent of the delay (see Condition 23).

The variation will change the price payable by the Owner as follows: (tick whichever is applicable)

☒ Increase the price by: \$ 2750.00
(incl. GST)

☐ no change to price

☐ decrease the price by: \$ _____
(incl. GST)

Increase/decrease (delete whichever is not applicable)

the price by an amount that will be calculated as follows:

Engineering costs, excavator work to dig extra footings, steel + concrete
(state how the increase/decrease will be calculated)

The increase or decrease (if any change) in the Contract Price payable by the Owner as a result of the variation will be taken into account in the Contractor's progress claim for the following Stage described in Schedule Item 8A or 8B:

Slab Stage
(insert description of Stage from Schedule Item 8A or 8B)

(Owner/Owner's Representative to initial here)

NOTE: The Contractor cannot require payment for an increase in the Contract Price due to a variation before the variation work has been completed.

SIGNED: _____
(Owner/Owner's Representative to sign)

DATED: ____ / ____ / ____
(day) (month) (year)

SIGNED: _____
(Contractor/Contractor's Representative to sign)

DATED: 01 / 03 / 21
(day) (month) (year)

When form completed, Contractor to retain the original and give 2 legible copies to Owner.

FORM 2

EXTENSION OF TIME CLAIM AND OWNER'S RESPONSE TO CLAIM

(Condition 23 of the General Conditions of QBCC New Home Construction Contract)

NOTE TO CONTRACTOR: This blank form may be copied for multiple use. You must attach any relevant supporting information (e.g. dates on which rain, or its effects, prevented work on Site) and give the Owner a signed copy of this claim form within 5 Business Days of the Owner approving the claim.

To: (Owner/s) Bob Brown
(insert name and postal address of Owner/s)

From: (Contractor) ABC Building Contractors

Regarding construction at: 22 Lake Lane, Kawana
(insert Site address)

The Contractor wishes to claim an extension of time of the Date for Practical Completion.

The cause of the delay in achieving Practical Completion is: Soil unsuitable for foundation.
Extra footing design required by Engineer.
(insert full description of a cause of delay from Condition 23.1)

The cause of the delay:
(tick whichever is applicable)

☐

is not a cause of delay listed in Schedule Item 6B.

☒

is a cause of delay listed in Schedule Item 6B, but the number of days that the Contractor has actually been delayed is more than the allowance stated in Schedule Item 6B.

The delay arose on: 01 / 03 / 21
(day) (month) (year)

Number of additional Business Days claimed by the Contractor as a consequence of this delay: 5
(Business Days)

New Date for Practical Completion after allowance for this delay: 28 / 06 / 21
(day) (month) (year)

SIGNED: [Signature]
(Contractor/Contractor's Representative to sign here)

DATED: 01 / 03 / 21
(day) (month) (year)

OWNER'S RESPONSE TO EOT CLAIM DATED: ____ / ____ / ____
(day) (month) (year)

NOTE TO OWNER

The Contractor must give you this form within 10 Business Days of the earlier of the Contractor becoming aware of the cause and extent of the delay or when the Contractor reasonably ought to have become aware of the cause and extent of the delay. If you accept the Contractor's claim for an extension, then the Date for Practical Completion will be extended by the Business Days claimed by the Contractor. You must indicate your acceptance, rejection or partial rejection of the Contractor's claim by completing, signing and returning this form, or similar written notice, to the Contractor as soon as possible but within 10 Business Days of receiving the claim. Keep a copy for your records.

Tick whichever is applicable:

☐

The Owner agrees with the extension of time claim.

☐

The Owner rejects the extension of time claim.

☐

The Owner rejects part of the extension of time claim.

☐

The part of the claim rejected is ____ Business Days.

Response to EOT Claim No.:

The reason/s for rejecting all or part of the extension of time claim is/are: (state reason/s below)

SIGNED: _____

DATED: ____ / ____ / ____
(day) (month) (year)

When this Schedule is completed, Contractor to retain original and give 2 legible copies to Owner.