

Virginia Hemsley

Subject: RE: Salvation Army Lawnton

From: Virginia Hemsley <virginia@carsburgearthmoving.com.au>

Sent: Thursday, 5 August 2021 3:57 PM

To: Michael Taylor <michael.taylor@paynters.com.au>; Mytchel Daley <Mytchel.Daley@paynters.com.au>; Rodney Carsburg <rodney@carsburgearthmoving.com.au>

Cc: Corey Bone <corey.bone@paynters.com.au>; Shaun W <shaun.w@carsburgearthmoving.com.au>; Virginia Hemsley <virginia@carsburgearthmoving.com.au>; Neil Carsburg <neil@carsburgearthmoving.com.au>; Arty Hawkins <arty@carsburgearthmoving.com.au>

Subject: RE: Salvation Army Lawnton

Michael.

Most Geotech consulting contractors Carsburg engages are available within 2 hrs notice.

However this must not be the case with your Geotech.

You did remove the Level 1 testing from our scope of work and it would seem some what confusing to engage ours considering the intentions of the uncontrolled fill is not clear.

In order to move forward with least possible disruption of the project and to avoid having to go down the dispute resolution steps as per Clause 20 in the Contract, I suggest a meeting onsite between ourselves and Paynters to keep the lines of communication open and resolve any foreseen issues moving forward.

Carsburg intends to still continue to fulfill it's obligations under the contract as agreed.

Regards,

Virginia Hemsley

Earthmoving Excellence



207 Elliot Road, Banyo QLD 4014

T: (07) 3267 8033 M: 0407 730 543

virginia@carsburgearthmoving.com.au

www.carsburgearthmoving.com.au

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From: Michael Taylor <michael.taylor@paynters.com.au>

Sent: Thursday, 5 August 2021 3:03 PM

To: Virginia Hemsley <virginia@carsburgearthmoving.com.au>; Rodney Carsburg

<rodney@carsburgearthmoving.com.au>; Mytchel Daley <Mytchel.Daley@paynters.com.au>

Cc: Corey Bone <corey.bone@paynters.com.au>; Shaun W <shaun.w@carsburgearthmoving.com.au>; Virginia

Hemsley <virginia@carsburgearthmoving.com.au>; Neil Carsburg <neil@carsburgearthmoving.com.au>; Arty Hawkins <arty@carsburgearthmoving.com.au>

Subject: RE: Salvation Army Lawnton

Virginia

I can't agree to that. There was opportunity to provide me more notice for the Geotech and when I suggested that could be a problem, we discussed you engaging your own Geotech and when I tried to ring Rodney back and discuss that as we had agreed he didn't answer. Thanks for acknowledging the missed call though.

Your nominated timeframes for shaping of building pads and tank pads are noted also.

Surveying of bulk earthworks areas is by Carsburg.

Cheers

Michael Taylor
Project Manager

07 3368 5537 | 0400 330 537
michael.taylor@paynters.com.au



From: Virginia Hemsley <virginia@carsburgearthmoving.com.au>

Sent: Thursday, 5 August 2021 2:39 PM

To: Michael Taylor <michael.taylor@paynters.com.au>; Mytchel Daley <Mytchel.Daley@paynters.com.au>; Rodney Carsburg <rodney@carsburgearthmoving.com.au>

Cc: Corey Bone <corey.bone@paynters.com.au>; Shaun W <shaun.w@carsburgearthmoving.com.au>; Neil Carsburg <neil@carsburgearthmoving.com.au>; Arty Hawkins <arty@carsburgearthmoving.com.au>

Subject: RE: Salvation Army Lawnton

Hi Michael.

We acknowledge Rodney had received a miss call from you yesterday but you did not leave a msg regarding your call to our knowledge.

If we had known you could not supply the Geotech, we would have sent our guys elsewhere hence the stand down charges.

Regarding components of the scope that are yet to be completed, the Tank pad excavation would be ½ hours work and as discussed, the remediation of the Store pad was to consist of the remaining 300mm box to be loaded onto the Main building pad as there is limited room in that area and placed once the main Building pad had passed proof rolled.

The Site foreman and leading hand have marked out the 2 Building pads this morning as per the attached.

It seems that the area that Corey has marked out is outside the Building pad that had been agreed to during tender.

Regards,

Virginia Hemsley

Earthmoving Excellence



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From: Michael Taylor <michael.taylor@paynters.com.au>

Sent: Thursday, 5 August 2021 8:54 AM

To: Rodney Carsburg <rodney@carsburgearthmoving.com.au>; Mytchel Daley <Mytchel.Daley@paynters.com.au>

Cc: Corey Bone <corey.bone@paynters.com.au>; Shaun W <shaun.w@carsburgearthmoving.com.au>; Virginia Hemsley <virginia@carsburgearthmoving.com.au>; Neil Carsburg <neil@carsburgearthmoving.com.au>; Arty Hawkins <arty@carsburgearthmoving.com.au>

Subject: RE: Salvation Army Lawnton

Hi Rodney

I believe the operators have been sent away from site. As discussed this morning, Paynters believe there is components of your scope of works not completed, which could be completed. Furthermore, I had tried to call you to discuss the Geotech yesterday at around 1.30pm as promised during our meeting at 10am. We also note we were given no warning of pending stand down charges and less than 24 hours to get a Geotech to site.

With all this in mind its very difficult to simply approve such charges for payment and would hope that we can work together to find some efficiency in the job to offset the standdown costs before they're claimed.

Confirming also that the Geotech engineer will be on site first thing tomorrow morning.

Cheers

Michael Taylor

Project Manager

07 3368 5537 | 0400 330 537

michael.taylor@paynters.com.au



From: Rodney Carsburg <rodney@carsburgearthmoving.com.au>

Sent: Thursday, 5 August 2021 6:57 AM

To: Mytchel Daley <Mytchel.Daley@paynters.com.au>

Cc: Michael Taylor <michael.taylor@paynters.com.au>; Corey Bone <corey.bone@paynters.com.au>; Shaun W <shaun.w@carsburgearthmoving.com.au>; Virginia Hemsley <virginia@carsburgearthmoving.com.au>; Neil Carsburg <neil@carsburgearthmoving.com.au>; Arty Hawkins <arty@carsburgearthmoving.com.au>

Subject: Salvation Army Lawnton

Mytchel,

We have arrived to site this morning to commence work on the remediation of the 300mm layer in the building platforms and Corey has informed that your Geotech will not be able to be onsite till tomorrow.

As there is no level 1 supervision from your Geotech we can not commence work on the 300mm remediation layer which in turn will delay programming.

There for stand down charges will apply for today.

23T excavator- \$598

Water Cart- \$440

Labour- \$260

Supervision- \$340

Can you confirm what time your Geotech will be onsite tomorrow by 2pm today to avoid further stand down charges.

Regards,

Rodney Carsburg

Director & Civil Contracts Manager

Earthmoving Excellence



207 Elliot Road, Banyo QLD 4014

T: (07) 3267 8033 M: 0417 779 245

rodney@carsburgearthmoving.com.au

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19. Representatives

Paynters and the Subcontractor will each appoint and at all times be represented by a nominated person with authority to act on behalf of the nominating party in all matters connected with the Subcontract. The nominated person may change from time to time provided that the other party is given written notice of the change.

20. Dispute Resolution

- (a) Subject to (b) any disputes relating to or arising out of the Subcontract or the subcontract works must be referred to an independent person, experienced in matters of the kind in dispute ("Expert"), who will investigate and determine the dispute in the capacity of an Expert, not an arbitrator, and whose determination shall be final and binding on the parties.
- (b) Any dispute as to the value of a variation or day work must be determined in accordance with this Clause by a qualified Quantity Surveyor from a firm of Quantity Surveyors nominated in the Subcontract Order.
- (c) The parties must select the Expert by agreement, or, if they can not agree within three (3) days, the Expert may be nominated at the written request of either party by the President of the Master Builders Association of Queensland.
- (d) The Expert does not have power to award costs or interest. The Subcontractor and Paynters will bear its own costs of the determination and will share equally the costs charged by the Expert and associated costs of the determination, such as room hire.
- (e) Neither party may litigate until the steps in this clause have been taken and have been unsuccessful.

21. Counting of Days

Any reference to days means calendar days. Any reference to working days excludes Saturdays, Sundays, statutory holidays, public holidays, recognised industry non-work days, rostered days off, and the Paynters Christmas Shutdown (commencing at 3.30pm on the last Friday before Christmas Day and finishing at 7.00am on the second Monday after New Years Day).

22. Notices

Without limiting the methods of service, any notice is to be served by any manner as outlined in Clause 17(b).

23. Special Conditions

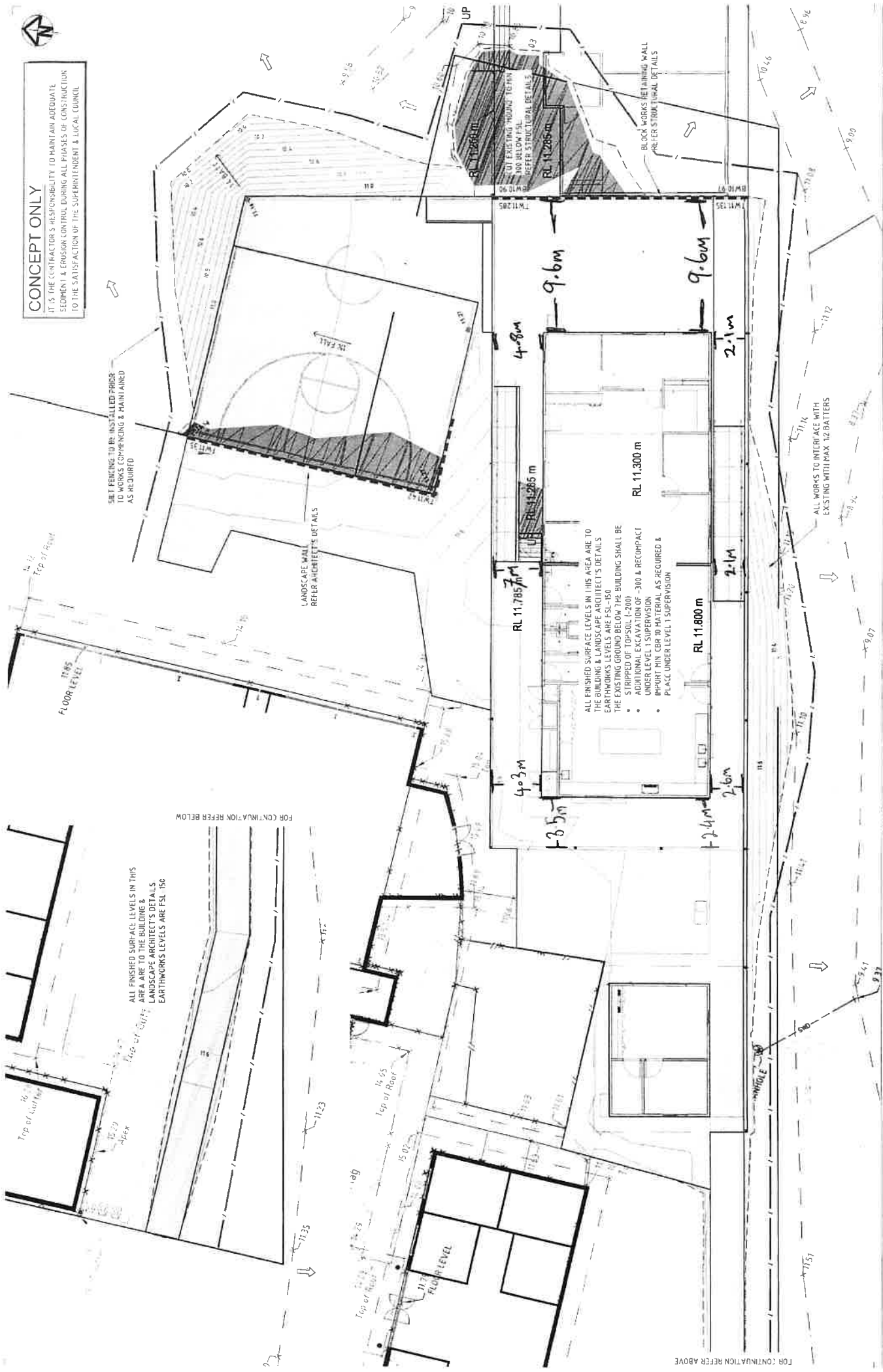
Special Conditions, if any, are set out in the Subcontract Order or Contract Schedule.

24. Acknowledgement of Terms

By signing the Subcontract Order, the Subcontractor acknowledges, warrants and represents, in relation to the terms and conditions above, that:

CONCEPT ONLY

IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN ADEQUATE
SECTION 1 & EROSION CONTROL DURING ALL PHASES OF CONSTRUCTION
TO THE SATISFACTION OF THE SUPERINTENDENT & LOCAL COUNCIL



PRELIMINARY ISSUE



Paynters
SALVATION ARMY
YOUTH OUTREACH SCHOOL
27-29 LAVINTON POCKET ROAD, LAVINTON
VIC 3550
TEL: 03 5441 1111
FAX: 03 5441 1112
WWW.PAYNTERS.COM.AU

THIS DRAWING IS A PRELIMINARY ISSUE. IT IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF PAYNTERS. ANY CHANGES TO THE DESIGN SHALL BE MADE BY A DESIGNER REGISTERED IN THE PROFESSIONAL ENGINEERING BOARD OF AUSTRALIA.

SCALE 1:100

Variation Charge Sheet



PROJECT	Paynters Salvation Army	DATE	19/08/2021
INITIATED BY	Rod Carsburg	INSTRUCTION No.	
AUTHORISED BY		CV No.	
CHARGED TO	Paynters	IV NO	VW003
DESCRIPTION	Machinery stand down charges due to no Geotech onsite		

[illegible]

Is this claim subject to time extension? If so provide details:

	Sub Total	\$ 960.00
Overhead & Margin	0.0%	\$ -
TOTAL SUBMITTED (Ex GST)		\$ 960.00