



MASTER BUILDERS
A U S T R A L I A

Contractors' Forms – Major Works Principal Contract

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[Insert your company details here]

ABIC FORM MW-40
REQUEST FOR INFORMATION/INSTRUCTION/NOTICE

Project:

Project no:

Date issued:

To the architect:

In accordance with clause number, please provide an instruction/information/notice *[delete where not applicable]* to resolve the following matter *[insert details here]*:

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
This form may be used for any request for information including but not limited to requests under clauses A7.2, E6, F5, F9, G9.1, J1.3, M7 and N8. Critical times for requests vary. Refer to the User Guide for details.

[Insert your company details here]

**ABIC FORM MW-41
NOTICE OF INTENTION TO CLAIM**

Project:

Claim notice no:

Project no:

Date issued:

To the architect:

You are notified of our intention to make a claim in accordance with **clause**, *[insert a brief description of the intended claim]*:

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

[Insert your company details here]

**ABIC FORM MW-42
DETAILS OF CLAIM**

Project:

Claim notice no:

Project no:

Date issued:

To the architect:

The details of our claim numbered [ie. the same as its matching notice of claim no.]
and dated are as follows [insert complete details of the claim]:

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

You must notify your intention to make a claim promptly after becoming aware of the circumstances that will cause the claim. Details of your claim must be provided within a time agreed with the architect or in default 20 *working days. This form may be used for claims under clauses B2, E6, F7, F8, F9, G8, G10, G13, G16, H1, J4, J7, J8, J12, L1, L2, M8, M9, M11, N10, Q12 and Q16.

[Insert your company details here]

**ABIC FORM MW-43
ADDITIONAL INFORMATION**

Project:

Claim notice no:

Project no:

Date issued:

To the architect:

In accordance with your request dated for additional information regarding our claim numbered the following details are provided, [*insert details of the additional information*]:

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

As this additional information is required to assess your claim, comprehensive information should be provided. This form may be used under clauses B3, E10, F7, F8, F9, G8, G10, G13, G16, H3.3, J4, J7, J8, J11, L1, L2, M7, M8, M10, N9, N11.3 and Q12 in conjunction with clause H2.

[Insert your company details here]

**ABIC FORM MW-44
SECURITY – PROVIDING BANK GUARANTEES**

Project:

Project no:

Date issued:

***To the architect:**

In accordance with **clause C3**, security in the form of two equal unconditional guarantees is attached.

_____ (signature)

Contractor

_____ (signature)

Owner

Distribution: Original: Architect **Copies:** **File** **Other** _____

Note to contractor:

The unconditional guarantees must be provided with 10 *working days* of the contract being executed. Furthermore, the first progress payment will not be paid until the owner has possession of them. Where the project is divided into separable parts, two equal unconditional guarantees must be provided for each separable part. Schedule 5 provides a pro forma unconditional guarantee document.

[Insert your company details here]

ABIC FORM MW-45
EVIDENCE OF INSURANCES – CONTRACTOR TO INSURE

Project:

Project no:

Date issued:

***To the owner:**

I have read the contract conditions in **Section E** regarding insurance and certify that:

- the contractor has an insurance policy in place for which the premium has been paid
- the insurance complies with the requirements of the contract; and
- the insurance policy names the contractor and the owner and any other person included in the works as the insured.

Insurance type	Name of insurer	Details of insurance	Signed and dated by insurer/broker
Public liability		Cover \$ _____ Excess \$ _____ Expiry date _____	
Contract works		Cover \$ _____ Excess \$ _____ Expiry date _____	
Worker's compensation and employer's liability		Cover \$ _____ Excess \$ _____ Expiry date _____	
Common law damages (if applicable) refer clause E8.1)		Cover \$ _____ Excess \$ _____ Expiry date _____	

Copies of the insurance/certificates of currency are attached.

_____ (signature)

Contractor

Distribution: Original: Architect Copies: File Other _____

[Insert your company details here]

**ABIC FORM MW-46
PROGRAM**

Project:

Project no:

Date issued:

To the architect:

In accordance with **clause G5**, a program with respect to the works is attached [insert details or attach relevant documents].

OR

In accordance with **clause G6**, the updated program dated is attached [insert details or attach relevant documents].

The times laid down in the previous program have been affected as follows: [insert details of changes to time]

_____ (signature)
Contractor

Distribution: Original: Architect **Copies:** **File** **Other** _____

Note to contractor:

- The program must include:
- commencement and completion dates of major stages
- the date for *practical completion*
- the start and completion date for all major trades
- a critical path

Clause N8 requires the program to be given to the architect before payment of the first progress payment.

[Insert your company details here]

ABIC FORM MW-47

NOTICE TO ARCHITECT – *WORKS OR SEPARABLE PART AT *PRACTICAL COMPLETION

Project:

Project no:

Date issued:

To the architect:

In accordance with **clause M3/clause M10** [delete where not applicable], you are notified that the following *works/separable part of the *works [delete where not applicable] will reach *practical completion on [insert the date here].

[Describe the *works/separable part of the *works here]

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

You are required to inspect the *works *promptly.

[Insert your company details here]

ABIC FORM MW-48 PROGRESS CLAIM – SUMMARY SHEET

Project:

Claim no:

Project no:

Date issued:

To the architect:

In accordance with the terms of the contract:

A.	Original <i>*cost of building work</i> :	\$0.00
B.	Total adjustments to the <i>*cost of building work</i> to date (refer attached schedules):	\$0.00
C.	Current adjusted <i>*cost of building work A + B</i> :	\$0.00
D.	Plus <i>*GST</i> :	\$0.00
E.	Current adjusted <i>*contract price C+D</i> :	\$0.00

1.	Total <i>*cost of building work</i> completed to date in accordance with clause N3.2 :	\$0.00
2.	Plus <i>*GST</i> :	\$0.00
3.	Subtotal 1 + 2:	\$0.00
4.	Total amount certified at item 9 in all previous certificates (if applicable):	\$0.00
5.	Amount claimed as due and owing to the contractor (inc <i>*GST</i>) is 3–4:	\$0.00
6.	Value of <i>*necessary work</i> completed (excluding <i>*GST</i>):	\$0.00
7.	Value of materials and equipment delivered to the site for incorporation in the <i>*works</i> , for which title has passed to the contractor, (excluding <i>*GST</i>):	\$0.00
8.	Value of <i>*off-site plant or material</i> :	\$0.00

Substantiating details are attached.

I declare that

- all wages and other entitlements including building industry superannuation and long service leave levies have been paid to or on behalf of all employees,
- all monies due to subcontractors have been paid,
- all insurances required to be maintained are in force.

_____ (signature)

Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

The summary sheet should form the first page of your claim. Comprehensive details should be submitted with all progress claims.

[Insert your company details here]

ABIC FORM MW-49
FINAL CLAIM – SUMMARY SHEET – CLAUSE N11

Project: _____ Claim no: _____

Project no: _____

Date issued: _____

To the architect:

In accordance with the terms of the contract, I received notification of **form MW-16** (the instruction to submit the final claim) on [insert date]:

A.	Original <i>*cost of building work</i> :	\$0.00
B.	Total adjustments to the <i>*cost of building work</i> :	\$0.00
C.	Final adjusted <i>*cost of building work A + B</i> :	\$0.00
D.	Plus <i>*GST</i> :	\$0.00
E.	Adjusted <i>*contract price</i> is C+D :	\$0.00
<hr/>		
1.	Total <i>*cost of building work</i> completed:	\$0.00
2.	Plus <i>*GST</i> :	\$0.00
3.	Subtotal 1 + 2:	\$0.00
4.	Total of amounts certified as due and owing to the contractor at item 9 on all progress certificates:	\$0.00
5.	Amount now claimed as due and owing to the contractor (inc <i>*GST</i>) is 3 – 4:	\$0.00
6.	Amount of <i>*GST</i> included in amount claimed	\$0.00

Substantiating details are attached.

I declare that

- The **works* have been completed in accordance with this contract; and
- I have rectified all **defects* and finalised all incomplete **necessary work* I became aware of by instruction from the architect or from my own observations during the defects liability period or periods, which has or have ended.

_____ (signature)
 Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

The summary sheet should form the first page of your final claim. Comprehensive details should be submitted with all progress claims.

[Insert your company details here]

ABIC FORM MW-50
CHANGE IN THE FORM OF SECURITY TO THE OWNER

Project:

Project no:

Date issued:

To the architect:

In accordance with **clause C4**, we elect to change the form of security:

from **unconditional guarantees* to cash retention. We enclose our cheque for \$ _____ being the current value of security and request the return of the **unconditional guarantees*.

OR

from cash retention to **unconditional guarantees*. The **unconditional guarantees* in accordance with **clause C3** are attached. Please provide a cheque for \$ _____ being the current value of security.

_____ (signature)
 Contractor

Distribution: Original: Architect **Copies:** **File** **Other** _____

Note to owner:

If the contractor elects to change the form of security from cash retention to **unconditional guarantees*, you must return the cash retention to the contractor when the unconditional guarantees have been provided, close the trust account and provide a bank statement to the contractor.

[Insert your company details here]

ABIC FORM MW-51
EVIDENCE OF INSURANCE – OWNER TO INSURE

Project:

Project no:

Date issued:

To the architect:

In accordance with **clause E6**, please provide the evidence that the following insurance has been effected:

- Public liability insurance.
 Contract works insurance.

Please provide copies of this insurance and certificates of currency.

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

If the owner is to insure under **clause E1** or **E2** and fails to provide evidence of these insurances you may take out the insurances. If you do, you are entitled to make a claim for the cost of the insurances and the procedures under **clause H1** should be followed.

[Insert your company details here]

**ABIC FORM MW-52
AMENDED PROGRAM**

Project:

Project no:

Date issued:

To the architect:

In accordance with your instruction dated under **clause G9**, we are unable to provide an amended program for the following reasons [*insert detailed reasons*]:

OR

In accordance with your instruction dated under **clause G9**, an amended program is attached [*attach relevant documents*]. The program does not form part of the contract as per **clause G5.2**.

_____ (*signature*)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
If you cannot comply with an instruction to amend the program you must give notice to the architect *promptly after receiving the instruction and if you intend to make a claim for an adjustment to the contract sum as a result of the architect's instruction to amend the program, **clause G10**, you must provide full details of your claim within 20 days after receiving the instruction unless a different date has been agreed.

[Insert your company details here]

ABIC FORM MW-53

NOTICE OF POSSESSION OF THE *WORKS OR A SEPARABLE PART OF THE *WORKS BEFORE *PRACTICAL COMPLETION

Project:

Project no:

Date issued:

To the architect and owner:

As the owner took possession of the *works/separable part of the *works [delete where not applicable] on [insert date], which is before the issue of the notice of *practical completion, we notify you under **clause M11** that the *works are deemed to have reached *practical completion on that date.

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
If the owner takes possession of the whole of the *works or a separate part of the *works before the issue of the notice of *practical completion, the whole of the *works or that part of the *works are to be treated as having reached *practical completion – from the date of occupancy.

Note to architect:
In these circumstances, you must issue the contractor and the owner with a notice of *practical completion of the *works or the separable part of the *works, as the case may require, within 5 *working days of receiving this notice, noting the date of occupancy as being the date of *practical completion.

[Insert your company details here]

ABIC FORM MW-54

SEPARATE CONTRACTOR – OBJECTION TO ENGAGEMENT AS A SUBCONTRACTOR

Project:

Project no:

Date issued:

To the architect:

In accordance with **clause K3.3**, we object to engaging the particular person selected by the owner as a subcontractor for the following reasons [*insert the name of the particular person and details of the cause for objection*]:

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
Full details of the basis for the objection should be provided.

[Insert your company details here]

**ABIC FORM MW-55
CONTRACTOR'S NOTICE**

Project:

Project no:

Date issued:

To the architect/owner/authority:

In accordance with **clause**, you are notified as follows:

[insert details here]

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
This form may be used for any notice including but not limited to notices under clauses A2.2, A3.2, B1, E10, F8, G3.1, G9.1, J2.3, J4.1, J8.2 and Q11.

[Insert your company details here]

ABIC FORM MW-56
NOTICE OF SUSPENSION/TERMINATION

Project:

Project no:

Date issued:

To the architect/owner:

In accordance with **clause Q12/Q13/Q14**, [delete where not applicable] you are notified that you have not complied with:

[insert details of default here]

As a result this contract is suspended/terminated [delete where not applicable].

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
Contractors should seek legal advice before suspending or terminating the contract.

[Insert your company details here]

ABIC FORM MW-57
NOTICE OF DISPUTE

Project:

Notice no:

Project no:

Date issued:

To the architect:

In accordance with **clause A8**, you are notified that we wish to dispute the certificate/notice/written decision/written assessment/failure to issue [*delete where not applicable*]:

[insert details of default here]

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:

You must give this notice to the architect **within 20 *working days** after receiving the certificate, notice, written decision or assessment or becoming aware of the failure of the architect to issue something. While the dispute is being resolved, you must continue to perform your obligations under the contract - see **clause P1**.

[Insert your company details here]

ABIC FORM MW-58
NOTICE OF DISPUTE – CLAUSE P2

Project:

Notice no:

Project no:

Date issued:

To the architect:

In accordance with **clause P2**, you are notified of a dispute in respect of:

[insert details of dispute here]

A representative is required to meet with us within 5 **working days* of the delivery of this dispute notice to make a bona fide attempt to resolve the dispute.

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
You must give this notice to the architect **within 20 *working days** of the decision or failure of the architect.

[Insert your company details here]

ABIC FORM MW-59
NOTIFICATION OF AN *OFFICIAL DOCUMENT

Project:

Notice no:

Project no:

Date issued:

To the architect:

In accordance with **clause J6**, you are notified that we have received an **official document* from
..... in respect of
.....

Please provide a written instruction to address the **official document*. The **official document*
does/does not (*delete one*) deal with **dangerous or contaminated material*.

A copy of the **official document* is attached.

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
You must give this notice to the architect **within 24 hours** of receiving the **official document*.

[Insert your company details here]

**ABIC FORM MW-60
NOTICE OF START OR END OF DELAY**

Project:

Notice no:

Project no:

Date issued:

To the architect:

In accordance with **clause L3**, you are notified that as of
[insert date and time of beginning/end of the delay here] the contract works are delayed/the delay in
the contract works has ended [delete where not applicable].

The cause of the delay is as follows:

It is estimated that [insert number of days] *working days will be affected by the delay.

_____ (signature)
Contractor

Distribution: Original: Architect Copies: File Other _____

Note to contractor:
Notice must be given within 2 *working days of becoming aware of the start or end of a delay due to one of the causes in clause L1 or L2. Delays of less than 2 *working days may be notified in the same notice - see clause L3.2.