CONTRACT CHANGE PROPOSAL (CORE)

CONTRACT NUMBER: (INSERT CONTRACT NUMBER)

Note to Contractor: Contract Change Proposals which involve consideration may be executed in the form of an agreement rather than a deed and the CCP execution clause needs to be tailored accordingly.

For the purposes of the CCP, consideration may include a change in the contract price or the delivery of additional goods or services (even if at no cost to the Commonwealth).

A CCP shall identify separately the cost of preparation of the CCP and any proposed variation to the payments required under the Contract and, where approved in accordance with clause 11.1 of the COC, the reasonable cost of preparation shall be taken into account in calculating the varied payments under the Contract.

This template CCP includes examples of how some sections may be completed. CCP drafters will need to rely on their own judgement as to how best to describe the proposed contract change.

If this CCP relates to changes of an administrative nature which have no impact upon the payments required under the Contract or on the Statement of Work, the Contractor may provide minimal details of the change. Responses are only required for headings denoted as mandatory.

This CCP is dated the (INSERT DATE)

Between

THE COMMONWEALTH OF AUSTRALIA represented by the Department of Defence ABN 68 706 814 312 (“the Commonwealth”)

and

(INSERT CONTRACTOR NAME, ACN/ARBN AND ABN AS APPLICABLE) having its registered office at (INSERT CONTRACTOR’S REGISTERED OFFICE) (“the Contractor”)

RECITALS

1. The Commonwealth has entered into a contract (INSERT CONTRACT NUMBER) dated (INSERT EFFECTIVE DATE) (“the Contract”) for the supply of (INSERT BRIEF DESCRIPTION).
2. The Contract provides that changes are to be dealt with by CCP.
3. The Commonwealth or the Contractor proposes a change to the Contract as set out in this CCP.

AGREED TERMS:

CCP Number (Mandatory):

ECP Number (If applicable):

Date Raised (Mandatory):

Validity period for CCP (Mandatory):

Originator (Mandatory):

Reference in Contract (Mandatory): (INSERT CLAUSE NUMBER OR OTHER APPLICABLE CONTRACT REFERENCE)

1. **DETAILS OF PROPOSED CHANGE (MANDATORY):**

Example 1:

* 1. The parties agree that the Contract is amended in accordance with the following table.

| Amendment | Affected Provisions | Substituted / Inserted Provisions |
| --- | --- | --- |
| Replace | Conditions of Contract – Attachment A – Annex C – Contract Data Requirements List (CDRL)  *(Delete current CDRL)* | With **Appendix 1** (COC – Attachment A – Annex C – CDRL)  (Insert Appendix 1 to this CCP) |
| Insert |  | **Appendix 2** (DID-PM-MGT-XYZ)  (Insert Appendix 2 to this CCP under Attachment A – Annex C – CDRL) |
| Remove | DID-V&V-MGT-PQR |  |

Example 2:

* + 1. Old Text:
    2. New Text:

1. Justification for Proposed Change (Mandatory):
2. Effect of Proposed Change (if applicable):
   * 1. Contract Price:
        1. Price Schedule:
        2. Schedule of Payments including payment method:
        3. Cost of Preparation of CCP:
     2. Delivery:
        1. Location:
        2. Date:
     3. Scope of Work:

Note to Contractors: This should include a description of the effect of the change on the scope of work, including where appropriate, Quality, technical/functional specification(s), warranty, training, documentation, WBS and PMB.

* + 1. Australian Industry Capability:
       1. Australian Industry Activities (AIAs):
       2. the Prescribed ACE Percentage at each future ACE Measurement Point:

|  |
| --- |
| Option: For when the parties intend this CCP to take effect on a date other than the date of signature:   1. Date of effect of this CCP: |

1. Warranty:
   1. In signing this CCP the Contractor warrants that the submitted cost of preparation of this CCP is true and correct.
2. Approval:
   1. The CCP and its attachments are approved. The Contract shall be deemed to be changed on the date specified in this CCP or when this CCP has been properly executed by both parties.

Note for Contract Change Proposal Signature: Guidance on executing agreements, including some statutory requirements to ensure the execution is effective, are detailed in the ‘Executing Agreements Fact Sheet’, found on the Procurement and Contracting intranet page at:

<http://ibss/PublishedWebsite/LatestFinal/836F0CF2-84F0-43C2-8A34-6D34BD246B0D/Item/EBDAF9B0-2B07-45D4-BC51-67963BAA2394>

This guidance is developed for Commonwealth Personnel and should be used to assess the Contractor’s execution of the Contract Change Proposal. The Contractor should seek its own independent legal advice on its execution of the Contract Change Proposal.

SIGNED [INSERT "AS AN AGREEMENT" OR "AND DELIVERED AS A DEED" AS APPROPRIATE]

SIGNED for and on behalf of

THE COMMONWEALTH OF AUSTRALIA:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| (signature) |  | (print name and position) |  | (date) |

In the presence of:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| (signature) |  | (print name) |  | (date) |

SIGNED for and on behalf of

THE CONTRACTOR:

(INSERT APPROPRIATE CONTRACTOR’S EXECUTION CLAUSE)

Appendix:

1. Engineering Change Proposal (ECP) (if applicable).