**User Guidance**

This template letter is for use in managing standard form Infrastructure Advisory Services Contracts (short and long form) and forms part of the **Infrastructure Advisory Contract Framework** which is recommended for use byNSW Government buyers of Infrastructure Advisory Services.

The standard form templates are available here: <https://info.buy.nsw.gov.au/resources/infrastructure-advisory-services>

**Preparing the letter**

Insert the sample letter text on the following page onto the Principal’s letterhead.

Instructions are provided throughout the template and highlighted in yellow. Complete all instructions and then delete all highlighting.

**Issuing this letter**

A person who holds the appropriate delegated authority from the Principal must approve the issuing of this notice.

Ensure that this notice is served promptly on the Service Provider, at its current registered business address set out in the Key Contract Terms (or if an updated address has subsequently been notified by the Service Provider, to that updated address).

The notice should be delivered by hand or by email. Obtain evidence of the time and date of receipt. Normal postal services should not be relied upon for this notice.

# Notice of Service Provider’s Breach

## Sample text for notice to be inserted on Principal’s letterhead

|  |
| --- |
| insert date The Service Provider:insert Service Provider’s name insert Service Provider‘s ABNinsert Service Provider‘s addressAttention: insert name of Service Provider’s Authorised Person**Notice of Service Provider’s Breach**Dear [insert] **insert Contract nameContract No. insert Contract No.**This letter relates to the [insert Contract name] dated [insert date of contract] between [insert Principal’s name] and [insert Service Provider name] (the **Contract**). All expressions used in this letter which appear in the Contract have the same meaning as given to them in the Contract. This letter is written notice under clause [x] of the General Conditions of the Contract that the Service Provider has breached the Contract in the following respects:* 1. insert sufficient details of each breach and reference to the obligation in the contract and clause e.g. *you have failed to provide evidence of insurances in response to our request dated X as required by clause X*
	2. insert others if applicable

This Principal hereby notifies the Service Provider that it is required to remedy above breach(es) within 10 Business Days [insert a longer time to remedy if 10 Business Days is not sufficient] after receiving this notice.If you fail to respond to this notice within 10 Business Days [insert a longer time to remedy if 10 Business Days is not sufficient], either by providing clear evidence that you have remedied the identified breach(es) or by proposing reasonable steps to do so, the Principal may give notice, in accordance with clause [Insert 11.2 for Short Form Contract or 12.2(a) for Long Form Contract] of the General Conditions of the Contract, to terminate the Contract. Yours sincerely,» insert the name of the Principal’s Authorised PersonPrincipal’s Authorised Person |