

From: scotto'brien@lowerchurchillproject.ca
Sent: Thursday, October 31, 2013 10:09 PM
To: robert woolgar/nlhydro
Subject: Fwd: LCRP - Nalcor - Outstanding Items List - October 31 Draft [IWOV-Legal.FID1816602]
Attachments: #9375018v12_Legal_ - LCRP (Nalcor - MF_LTA_LIL) - List of Outstanding Items Required for Due Diligence Review.docx; WSComparison_9375018v11_LCRP (Nalcor - MF_LTA_LIL) - List of Outstanding Items Required for Due Diligence Review - 9375018v12_LCRP (Nalcor - MF_LTA_LIL) - List of Outstanding .pdf

Difficult to read this on my iPad. Not sure if there's action for us here.

Scott O'Brien

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Begin forwarded message:

From: "Abudulai, Suhuyini" <sabudulai@casselsbrock.com>

Date: October 31, 2013 at 21:54:06 NDT

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Subject: LCRP - Nalcor - Outstanding Items List - October 31 Draft [IWOV-Legal.FID1816602]

Good evening Jim,

Further to our call with MWH this afternoon, attached is a clean and blackline of the outstanding items list. I understand that Alison will be discussing certain matters in the attached with you.

Many thanks,

Suhuyini



Suhuyini Abudulai

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FEDERAL LOAN GUARANTEE - LOWER CHURCHILL RIVER PROJECTS – MF, LTA AND LIL

OUTSTANDING ITEMS REQUIRED FOR COMPLETION OF DUE DILIGENCE REVIEW

Legend:

Green Text - Identifies deliverables that Nalcor (Jim Meaney) is to advise on status and/or provide to MWH as soon as possible for the mid-November delivery of the IE Report

Red Text – Identifies deliveries that MWH has requested and/or requires of which MWH is currently in process of reviewing.

Blue Text – Identifies deliveries that will not be available at financial close.

No.	DOCUMENT/ITEM	Section of Independent Engineer’s Report, if applicable	Responsible Party to Provide	Comments	Status (Select either “Deliverable Outstanding”, “Deliverable Provided and Under Review” or “Complete”)
I.	Documents/Information IE has requested:				
A.	Project Design and Projected Performance				
1.	North Spur questions	Section 2, Table 2-1	Nalcor	Table 2-1 is incomplete and MWH is awaiting a response from Nalcor as to the matters set out therein.	Deliverable Outstanding.
2.	River diversion	Section 2.2.4	Nalcor	MWH has requested data from Nalcor in order for MWH to complete this section.	Deliverable Outstanding.
3.	Civil design aspects	Section 2.2.5	Nalcor	MWH has requested a response to email questions sent directly to Nalcor	Deliverable Outstanding.
4.	Firm energy and power and average annual energy and power	Table 3-1	Nalcor	MWH has requested the final data to complete Table 3-1 to reflect the new values.	Deliverable Outstanding.
5.	Data re: diversion flood feature and other cofferdams	Section 3.2.4	Nalcor	a) September 4 – Nalcor emailed MWH to advise that a gated spillway hydraulic design has been posted to Aconex. MWH to confirm that this deliverable is now satisfied.	a) Deliverable Provided and Under Review. b) Deliverable Outstanding.

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				<p>b) September 4 – MWH emailed Nalcor to request that Nalcor provide the report that contains the data to support AON's findings in its insurance submission re: the selection of the cofferdam elevation and to request that Nalcor provide the derivation of the Tr=40yr for the ice jam event. Nalcor replied and stated that it will confirm if the data was sent to MWH previously or addressed in documents. Nalcor will follow up.</p> <p>MWH notes that the recent presentation failed to recognize this design criterion (still using 1:20yr).</p>	
6.	Operating History of Major Equipment	Section 3.5, Table 3-2	Nalcor	MWH emailed a Nalcor representative on September 3, 2012 requesting Nalcor's list of additional equipment that is acceptable and remarks pertaining to history of experience.	Deliverable Outstanding.
7.	Nalcor to provide additional contracts for IE to provide commentary re: technical criteria consistency	Section 3.7	Nalcor		Deliverable Outstanding.
8.	IE needs contracts and contractors re: experience and capability of major project participants	Section 3.8	Nalcor		Deliverable Outstanding.
B.	Construction Plan and Schedule				
9.	Bulk Excavation contract re: guarantees and warranties (IE requires proof that the contractor is performing satisfactorily to	Section 4.2, Table 4-1, Item 6	Nalcor	Addressed during discussion with Jason Kean on Aug 21 and to be verified during site visit.	MWH field report.

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	opine as to whether any guarantees are required)				
10.	Bulk Excavation contract re: logistics/storage of materials. IE to assess after field visit	Section 4.2, Table 4-1, Item 9	Nalcor	To be addressed during site visit.	MWH field report.
11.	Bulk Excavation contract re: guarantees and liquidated damages. IE to give opinion before financial close as results will not be available until then. IE also requests planned and actual work progress curves for review.	Section 4.2, Table 4-1, Item 10	Nalcor	To be addressed during site visit.	MWH field report.
12.	Bulk Excavation contract re: performance bonds, LDS, bonus, buydown/out. Data is missing and must be entered and shown in Exhibit 14	Section 4.2, Table 4-1, Item 11	Nalcor	Nalcor does not expect to call upon bond for this contract. October 1 – MWH will note this in the table.	Complete.
13.	Bulk Excavation contract re: critical paths. IE offers no opinion until it reviews the work progress	Section 4.2, Table 4-1, Item 18	Nalcor	Jason Kean to provide updated Integrated Project Schedule (IPS). September 4 – Nalcor emailed MWH to advise that the updated Integrated Project Schedule has been posted to Aconex. MWH to confirm that this deliverable is now satisfied. October 28 – Nalcor provided P6 Schedule to MWH via Aconex on October 22.	Deliverable Provided and Under Review.
14.	Bulk Excavation contract re: likelihood of achieving milestones. IE to give opinion before financial close as it requires time to assess during its field visit	Section 4.2, Table 4-1, Item 19	Nalcor	To be addressed through updated IPS and site visit. October 28 – MWH notes that the geotechnical portion is received and	MWH field report.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
				it is awaiting comments on other subjects.	
15.	Bulk Excavation contract re: riverside cofferdam elevation. IE requested plot of water service elevation	Section 4.2, Table 4-1, Item 20	Nalcor	<p>Discussed with Bob Barnes on Aug 21.</p> <p>September 10 – MWH emailed Nalcor to obtain clarification as to where Nalcor obtained the 40 years for the ice jam. MWH requests that the sequence of the ice jams and their frequency be shown, if available</p>	Deliverable Provided and Under Review.
16.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: qualifications of contractor. Nalcor to provide contract to IE.	Table 4-3, Item 1	Nalcor	<p>CH0007 Contract will be provided to MWH following award, expected in September. Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>October 28 – MWH notes that a portion of the contract has been received. It is awaiting the full contract to allow Table 4-3 of the IE's Report to be completed. The table numbering will be revised in the IE Report accordingly. This status update applies to Items 17-30 below.</p>	<p>Deliverable Provided and Under Review.</p> <p>Note: Only a portion of the contract has been delivered. The complete contract is Outstanding. This note applies to all references to the delivery of CH0007 herein.</p>

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No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
17.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: contracts performed independently. IE requires CPM schedule	Table 4-3, Item 4	Nalcor	CPM schedule will not be available until after financial close. A discussion will be had with Canada. October 15 – Nalcor has received the CPM template from MWH and is in process of populating it, given the feedback from MWH in respect of the IPS being insufficient.	Deliverable Provided and Under Review.
18.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: contractor's and owner's responsibilities	Table 4-3, Item 5	Nalcor	Exhibit 9 Milestone Schedule is missing from the contract.	Deliverable Outstanding as to Final Contract. Critical Path Schedule also required.
19.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: guarantees and warranties. Nalcor to address provisions re: performance bonds and limit LC.	Table 4-3, Item 6	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
20.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: change orders. IE requires a complete, filled in contract	Table 4-3, Item 7	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
21.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: transportation plan. IE requires elaboration on the site and transportation provisions in the contract	Table 4-3, Item 8	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
22.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: logistics/storage of materials. IE requires transportation plan, warehousing and storage plan and tracking plan for items in warehouses	Table 4-3, Item 9	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
23.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP)	Table 4-3, Item 10	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and	Deliverable Outstanding as to Final Contract.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
	re: conforms to industry standards. Nalcor to provide contract to IE.			MWH will be provided the contract for review to address this item.	
24.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: guarantees and liquidated damages. Examples of how LDs are computed to be furnished to the IE for review	Table 4-3, Item 12	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
25.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: performance bonds, LDS, bonus, buydown/out. IE requires backup information to support the amounts used for LDs and bonuses	Table 4-3, Item 13	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
26.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: compliance, contracts, permits, performance. IE requires listing of contractor furnished permits for review	Table 4-3, Item 14	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
27.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: construction schedule. IE requires critical path schedule and execution plan for review	Table 4-3, Item 16	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
28.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: schedule review and adequate provisions. IE requires critical path schedule for review	Table 4-3, Item 17	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
29.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: critical paths. IE requires more information to assess	Table 4-3, Item 18	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Outstanding as to Final Contract.
30.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP)	Table 4-3, Item 19	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and	Deliverable Outstanding as to Final Contract.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
	re: likelihood of achieving milestones. IE notes that data is missing			MWH will be provided the contract for review to address this item.	
31.	Turbines & Generators Design, Supply and Install contract re: contracts to be performed independently. IE has requested CPM schedule and required supporting data to understand how equipment will work	Table 4-4, Item 4	Nalcor	<p>To be addressed by review of updated IPS provided by Jason Kean. CPM's for individual contracts will not be available prior to Financial Close.</p> <p>Note: Nalcor advises that the above status applies to Items 6,16,17 and 19 of Table 4-3.</p> <p>Copies of QA Plans from Nalcor and contractor to be provided along with certification from Nalcor, per discussion on Aug 20.</p> <p>October 1 – MWH notes that it will be difficult to ascertain if the contract will have the same schedule as assumed by Nalcor.</p>	Deliverable Outstanding as to Critical Path Schedule.
32.	Turbines & Generators Design, Supply and Install contract re: construction schedule. IE requires a CPM	Table 4-4 Item 16	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.
33.	Turbines & Generators Design, Supply and Install contract re: schedule review and adequate provisions. IE requires a CPM	Table 4-4, Item 17	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
34.	Turbines & Generators Design, Supply and Install contract re: critical paths. IE requires a CPM	Table 4-4, Item 18	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.
35.	Turbines & Generators Design, Supply and Install contract re: likelihood of achieving milestones. IE requires a CPM	Table 4-4, Item 19	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.
36.	SOBI Submarine Cable Design, Supply and Install contract re: completeness. IE notes contract incomplete. IE requires construction drawings to verify design and showing corridor and design details	Table 4-5, Item 3	Nalcor	Nalcor has provided draft cable design and construction drawings. Nalcor has provided deliverable for this item (the SOBI Execution Plan was posted to Aconex for review by MWH on August 16).	Deliverable Provided and Under Review.
37.	SOBI Submarine Cable Design, Supply and Install contract re: contracts performed independently. IE notes contract incomplete. IE requires discussion on interface and for it to be reflected in CPM schedule	Table 4-5, Item 4	Nalcor	The submarine cable route can be seen in section 6.1 of the Project Execution Plan. Nalcor advises that it posted the SOBI Execution Plan to Aconex on August 15. MWH emailed Nalcor to advise that the general route is shown. If there is nothing more to show, then MWH will have to accept as is. MWH awaiting CPM.	Deliverable Provided and Under Review.
38.	SOBI Submarine Cable Design, Supply and Install contract re: logistics/storage of materials. IE requires additional information re: requirements for storage and requires	Table 4-5, Item 9	Nalcor	Nalcor advises that it posted the SOBI Execution Plan to Aconex on August 15.	Deliverable Outstanding as to Critical Path Schedule.

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	execution plan			October 28 – MWH advises that the details pertaining to storage were not given therein.	
39.	Generator step up transformer contract. No information available for review and expected August 2013.	Section 4.6, Table 4-6	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Dec 2013.</p>	Deliverable Outstanding.
40.	Converters & Cable Transition Compounds contract. No information available for review and expected October 2013	Section 4.7, Table 4-7	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Q2'14.</p>	Deliverable Outstanding.
41.	350 KV HVdC Transmission Line Section 1 contract. No information available for review and expected October 2013	Section 4.8, Table 4-8	Nalcor	Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.	Deliverable Outstanding.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
				<p>Based on LCP Contract Update provided 8-20-13, award expected in Q2'14.</p> <p>October 1 – MWH requests that Government provide advice as to what MWH can opine since the delivery of the contract is after financial close. [Note: October 7 – CBB notes that if the RFP is available then MWH should review and comment on its reasonability. CBB will review the contract once it is available as to consent to assign].</p>	
42.	350 KV HVdC Transmission Line Section 2 contract. No information available for review and expected after financial close (September 2014)	Section 4.9, Table 4-9	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Q3'14.</p>	Deliverable Outstanding.
43.	Generator Circuit Breakers contract. No information available for review and expected August 2013	Section 4.10, Table 4-10	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p>	Deliverable Outstanding.

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				Based on LCP Contract Update provided 8-20-13, award expected in Dec 2013.	
44.	Construction of AC Substations	Section 4.11, Table 4-11	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Mar 2014.</p>	Deliverable Outstanding.
45.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: guarantees and liquidated damages. IE awaiting decisions by Nalcor re: what Nalcor will require contractor to provide in its bid and IE requires contract for review	Table 4-12, Item 2	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review.
46.	Turbines & Generators Design, Supply and Install contract re: guarantees and LDs	Table 4-12, Item 3	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	Deliverable Outstanding.
47.	Likelihood of achieving milestones	Section 4.14	Nalcor	<p>On September 18 Nalcor advised that it posted the Integrated Project Schedule to Aconex on September 4th.</p> <p>October 1 – MWH notes that this will not suffice.</p>	Deliverable Outstanding. Need Critical Path Schedules (Outdated and further update required)

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				October 28 – This section will be modified on completion of review of P6 CPM.	
48.	Supply contract schedules	Section 4.15	Nalcor	On September 18 Nalcor advised that it posted the Integrated Project Schedule to Aconex on September 4th.	Deliverable Provided and Under Review.
49.	No other equipment where performance test criteria available for comment by the IE other than the turbines and generators	Section 4.16.1.1	Nalcor	To be addressed as awarded contracts provided to MWH. Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.	Deliverable Outstanding.
C.	Capital Budget				
50.	Evaluation of cost estimate and fixed price estimates is currently under review and will be updated once more large contract bids are received	Section 5.1.2	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Contract award update presentation made by Lance Clarke to be posted in Intralinks data room and Aconex.</p> <p>October 1 – MWH queries, when is this going to happen?</p>	<p>Deliverable Outstanding as to contract award schedule.</p> <p>Deliverable Provided and Under Review as to presentation.</p>
51.	Major equipment procurement costs to be	Section	Nalcor	Contract award schedule reviewed	Deliverable Outstanding.

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	completed near financial close as at time of draft IE report only costs associated with the MF plan under the bulk excavation contract and the submarine cable were available. The IE requested information re: the LIL costs and the interconnection costs.	5.1.5		on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.	
52.	IE requires confirmation if other costs needs to be listed in tables	Section 5.1.6	Nalcor	<p>a) Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>b) September 10 – MWH emailed Nalcor to confirm that Nalcor furnished more information on September 9th. Unless Canada requests more information, then the spare parts will not be identified until the contracts are awarded.</p> <p>October 1 – MWH asks Government to let MWH know what it should say in its responses. [Note: October 7 – CBB confirms that nothing further is needed from MWH but CBB should be provided with the updated charts as we near financial close].</p>	<p>a) Deliverable Outstanding.</p> <p>b) Deliverable Outstanding.</p>
53.	IE requires confirmation as to if any bonus incentives will be provided for other EPC contracts	Section 5.1.12	Nalcor	<p>CD0502 – Only liquidated damages</p> <p>CD0501 – Jason Kean to confirm</p>	Deliverable Provided and Under Review.

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				<p>September 9 – Email from Nalcor confirming that there are no other bonus incentives in any of the other agreements that are MWH's focus contract listing. MWH to confirm this is settled.</p> <p>September 10 – MWH emailed Nalcor to advise it is reviewing the information provided by Nalcor and that Canada is also considering additional comments. MWH noted that it has no comments but that the item is still open.</p>	
54.	IE requires information as to what Nalcor expects to be provided in the sub-section dealing with "highlight sensitive and critical areas"	Section 5.1.13	Nalcor	<p>September 9 – Email from Nalcor identifying critical risk areas. CBB has followed up with Canada to obtain comments. MWH to confirm this meets its requirements.</p> <p>October 1 - MWH believes that it has the essence of what Nalcor is concerned with, however, what is Government concerned with? MWH has not received any comments from Government on this subject; When will they be received? [Note: October 7 – CBB advises that MWH simply outline the Nalcor identified issues and comment briefly].</p>	Deliverable Provided and Under Review.
55.	Tables 5-4 to 5-6	Table 5-4 to Table 5-6	Nalcor	September 9 – Email correspondence from Nalcor to MWH regarding costs to input into the tables. MWH to confirm this	Deliverable Outstanding. Should be readily available.

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				<p>clarifies its queries on this matter.</p> <p>September 10 – MWH emailed Nalcor to advise MWH and Canada are reviewing and this item is still open.</p> <p>October 1 – MWH has expected all along that there would be an extensive list of spare parts that would come from each of the contracts that they are required to review and those that will not be reviewed by the IE. Nalcor needs to provide this all-inclusive list in MWH's opinion to respond to Government's inquiry.</p>	
56.	Ancillary infrastructure and service costs, Tables 5-13-5-15	Table 5-13, Table 5-14, Table 5-15	Nalcor	<p>September 9 – Email correspondence from Nalcor to MWH regarding the ancillary infrastructure and service costs.</p> <p>MWH corresponded with CBB to confirm that these costs are satisfactory. MWH awaiting comment from Canada as to the appropriateness of MWH commenting on these items as they are not within its direct experience.</p> <p>September 10 – MWH emailed Nalcor to advise it will be providing remarks once Contract CH0007 is viewed and it will hold off comments until that time.</p>	Deliverable Outstanding. Should be readily available.

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				September 23 – MWH emailed seeking an update as to when Contract CH0007 will be available. Nalcor to advise.	
57.	Commitment package cost estimates and contract award cost	Table 5-16	Nalcor	Contract package under review by MWH as to cost estimates and contract award costs.	Deliverable Provided and Under Review.
58.	MWH requires a brief summary on each of the following contracts or RFPS: CD0501 CD0502 CH0006 – MWH believes that it has sufficient information to comment from its field trip CH0007 CH0030 CT0327 CT0346 PH0014 PH0016 LC-SB-003	Table 5-16	Nalcor	MWH requires a brief summary as to the status of the work; the expected final contract amount; any items where issues have surfaced that may significantly impact the final cost of the construction contract and the project schedule to allow MWH to review the summaries and used in the table.	Deliverable Outstanding. Should be readily available.
59.	Payment schedules for contracts reviewed by the IE	Table 5-20	Nalcor	Contracts CH0030, CH0006, CH007 and SOBI are under review.	Deliverable Provided and Under Review.
60.	IE to complete provision re: highlight sensitive and critical areas once Nalcor provides expectations	Section 5.1.13	Nalcor		Deliverable Provided and Under Review.
D.	Commercial Operation and Maintenance Services				
61.	Table of Contents	Section 6	Nalcor	Suggest MWH use the O&M documentation previously provided. RFO/O&M discussion conducted with Bob Barnes and Paul	Deliverable Provided and Under Review.

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				Harrington on Aug 21. Additional information will be provided when available as Nalcor-LCP RFO activities progress leading up to commissioning. This will be after Financial Close.	
62.	IE requires more information re: planner (staffing)	Table 6-4, Table 6-5, Table 6-6	Nalcor	Planners in this context are maintenance planners and reside in the various Nalcor areas. This is a common job position throughout Nalcor. Their primary role is to work with trade areas. This is a common job position throughout Nalcor. Their primary role is to work with trades supervision to plan manpower and resources to execute potential maintenance work order assignments.	Deliverable Provided and Under Review as to total Tro Labrador, total Tro Northern & Central, total Soldiers Pond and total Corporate Head Office.
63.	IE requires confirmation as to the comments made by Nalcor re: biologists and environmental staff	Table 6-6	Nalcor	<p>Nalcor partially responded. Nalcor assumes that other biologists and environmental staff will aid in this effort that are not assigned full-time to the project. If this is the case, then some type of commitment level along with the associated cost should accrue to the project which should be mentioned in MWH's comments in its opinion.</p> <p>Nalcor advises that these costs are included in the environmental operational budget previously provided to MWH.</p> <p>October 1 - MWH was only referring</p>	Deliverable Provided and Under Review.

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				<p>to those who will be charging to the job. If others are charging to the job, why not show that others are also helping that could be shown in the table—MWH needs a number here—is it five more, seven more, one more? The cost is presented but it cannot be directly equated to the number of personnel. MWH's issue is number of personnel, not the cost.</p>	
64.	Reliability Statistics	<p>Table 6.9</p> <p>October 28 – MWH notes Table 6-10 updated</p>	Nalcor	<p>MWH to complete Table 6-10 and will require additional information to be requested by separate communication to Peter Madden regarding Dafor and Daufop. MWH will fill in the blank and will remove the yellow shaded statement when it has completed this section.</p> <p>October 1 – MWH asks if the Daufop, Dafor and ICBF are available. MWH does not have sufficient information to complete Daufop but it has computed Dafor and ICBF.</p>	Deliverable Outstanding.
E.	Project Agreements				
65.	O&M agreements not available for review as of July 12	Section 7.6	Nalcor	<p>Approach for project agreements review discussed with Canada, CBB and MWH on Aug 20. Canada/CBB to coordinate with MWH on deliverables for this section.</p> <p>October 1 - MWH has added information to the IE's Report that</p>	Deliverable Outstanding. MWH needs spreadsheet illustrating how O&M costs derived.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
				addresses the current condition of the Agreements yet to be drafted and issued. MWH believes that it has completed this item; Government to verify that the IE's Report reflects the appropriate response required by Government. [Note: October 7 – CBB advises that this is complete. Nothing further required].	
G.	Nalcor Energy's Project Financial Pro Forma				
66.	Historical costs	Table 9-4	Nalcor	MWH is awaiting a response as to the listing of historical costs.	Complete.
67.	Appendices to the IE Report	Appendices	Nalcor	<ul style="list-style-type: none"> -Appendix J- Construction Budget - Costs to be bundled to roll-up sensitive contract values, Jason Kean - Appendix O - Total list of contracts - Nalcor to update - Paul Kennedy 	<p>Deliverable Outstanding as to Appendix J. Blair Franklin to discuss with Nalcor.</p> <p>Deliverable Outstanding as to Appendix O.</p>
H.	Other				
68.	Board of Consultants' reports to be provided to MWH		Nalcor	Nalcor has provided the April 2013 report and related documentation.	
69.	MWH has requested the value for verification of hydraulic parameters. Specifically, at pool elevation 45.1, with the gates fully open, and the RCC overflow dam fully functional, what is the discharge out of the Gated Spillway (5) and the RCC Dam?	Section 3	Nalcor	On October 15, CBB requested Nalcor provide this information.	Canada considering.
70.	MWH has requested that Nalcor provide evidence of how the reservoir will be cleared in MF (a disposal area should be designated on the project drawings and a description of how the debris will be handled identified).	N/A	Nalcor	On October 21, CBB requested that Nalcor provide this information.	Deliverable Outstanding.

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71.	<p>MWH notes that during the site visit it did not visit the AC/DC converter stations, the site switchyards (other than MF), the sites for the crossing of the SOBI or any representative portions of the proposed transmission route).</p> <p>MWH further identifies that it did not visit the principal borrow areas for materials for concrete, the dam construction and road building and the major borrow areas.</p>	N/A	Nalcor	MWH requests that Nalcor provide current photos to show any progress in site clearing and road construction to the areas noted in this item. MWH notes that this may suffice for the purposes of the report.	Deliverable Outstanding.
72.	MWH to follow up with Nalcor as to Nalcor performing additional generation runs re: Hatch power study and energy study models.	N/A	Nalcor		Canada considering.
73.	MWH requested that Nalcor provide it with information as to how it can determine the permit cost for the land acquisitions and for MF, LTA and LIL	N/A	Nalcor	MWH made this request via email on October 18.	Deliverable Outstanding.
74.	P6 Schedule Templates	N/A	Nalcor	Nalcor provided to MWH via Aconex on October 22.	Deliverable Provided and Under Review.
75.	CH0007 re: South Dam	N/A	Nalcor	<p>MWH requested on October 24th that Nalcor confirm ASAP that the South Dam is now included in Contract CH0007.</p> <p>On October 25th Nalcor replied and advised that it has not conclusively established that the South Dam will be in Contract CH0007.</p>	Deliverable Outstanding.
76.	Results of additional generation runs	Table 3-1	Nalcor	Hatch's run to result in new values for firm energy, firm power, average annual energy and average annual power for MF. Nalcor to advise when this work can start and what the predicated date is for results to be	Canada considering.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
				delivered to Government and MWH for review.	
77.	Construction of Intake & Powerhouse, Spillway & Transition Dams Contract - Astaldi schedule to Astaldi proposal	N/A	Nalcor	<p>MWH wants to know when the schedule that Astaldi furnished with the proposal, that will be part of the contract, will be available for review.</p> <p>October 28 – Nalcor advises that it is currently "fine tuning Astaldi's construction approaches" and the contractual documentation will be provided once the contract is executed in a couple of weeks.</p>	Deliverable Outstanding. May be available post-financial close.
78.	Construction of Intake & Powerhouse, Spillway & Transition Dams Contract - MWH requires confirmation whether Government expects MWH to comment on each manufacturer, subcontractor and material supplier	N/A	CBB/Canada	If this is required, Nalcor must furnish to MWH Nalcor's evaluation of these parties who will support Astaldi, for MWH review and opinion.	Canada considering.
79.	<p>Construction of Intake & Powerhouse, Spillway & Transition Dams Contract – Astaldi Appendix 16A - MWH requires confirmation from Nalcor as to what "solution" was selected:</p> <ul style="list-style-type: none"> • Solution 1: Concrete production, forming and concreting self-performed by Astaldi; and • Solution 2: Concrete production, sub-contracted 	N/A	Nalcor		Deliverable Outstanding.
II.	General				
A.	Corporate	All under this heading are N/A unless otherwise			

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
		stated			
80.	Final versions of the articles and bylaws for all of the following entities: a) MFCo b) LTACo c) Devco d) LIL Holdco e) LIL OpCo		FMD	CBB was advised by FMD via email on September 6 that FMD is waiting for authorization from the province to incorporate the entities and that the drafts of the constating documents provided in the Financing Data Room are in final form other than Devco, which may change to expand the Devco mandate. CBB to confirm with FMD at the end of October that the entities have been incorporated.	Deliverable Outstanding.
B.	Real Estate	All under this heading are N/A			
81.	Comprehensive map of LCRP		Nalcor	CBB and the Nalcor LCP Lands Team had a call on September 20th to discuss the LIL Assets Maps, the MF Assets Map and the LTA Assets Map. Nalcor to provide the following deliverables to CBB: a) Updated versions of the maps to include the updated Crown rights of way, insertion of the Crown land numbers, grant application numbers, updates on permits and private lands acquired and updated to reflect the permanent assets October 1 – MWH has presented in the	Deliverable Provided and Under Review in respect of maps. See Item 82 below as delivery to CBB of Item 82, in satisfactory form, is required to satisfy Item 81.

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
				Appendix to the IE's Report a general, large scale map. Is there any additional need to include other reference material in the IE's Report? MWH does not think so but based on feedback to date, if there is, please advise MWH. [Note: October 7 – CBB advises that nothing further is required from MWH. CBB is dealing with land use and permits].	
82.	Nalcor report and certificate re: land rights		Nalcor	<p>Nalcor to provide CBB with a report including the approved form of statutory easements, leases, deeds, owned properties, private lands etc. all pertaining to the land rights.</p> <p>Nalcor to provide CBB with a Certificate certifying the route and all requisite documentation evidencing land rights (i.e. deeds, statutory easements, leases, title to private lands etc.) for each of the projects (MF, LTA and LIL) including certifying all requisite permits including environmental, access and building.</p> <p>Essentially, Nalcor to certify that it has all the land rights (legal and land use arrangements) needed to complete the projects, as well as to provide evidence of same.</p>	Deliverable Outstanding.
83.	Status of negotiations for private land acquisition for MF, LTA and LIL		Nalcor	See Item 82 above.	
84.	Copies of purchase and sale agreements for private land acquisition and copies of any		Nalcor	See Item 82 above.	

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
	easements or titles granted				
C.	Licenses and Permits	All under this heading are N/A			
85.	Confirmation that the permits and licenses provided in the Nalcor Financing Data Room have been obtained. The Financing Data Room currently contains Excel sheets that require status updates		Nalcor	See Item 82 above.	
86.	Provide status of all outstanding Crown applications for MF, LTA and LIL		Nalcor	See Item 82 above.	
87.	Provide status of all private land acquisitions or easements to be granted		Nalcor	See Item 8 above.	
D.	Material Contracts	All under this heading are N/A			
88.	Addendum re: EPCM contract to add integrated model		FMD	CBB following up as FMD advises no addendum will be prepared. October 1- MWH queries what action is required of it. It has incorporated the material supplied by Nalcor into the IE's Report. [Note: October 7 – CBB advises nothing further is required].	
89.	Form of Progress Certificate		FMD	October 1 – MWH queries if the final form is being developed and when can it be provided. [Note: October 7 – CBB has provided the certificate for MWH. The preparation of the form of the monthly report from Nalcor is in process].	
E.	Reports	All under this heading are N/A			
90.	Final IE Report		Independent	To be provided before financial close.	Deliverable Outstanding.

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			Engineer		
F.	Environmental	All under this heading are N/A			
91.	Release of the LIL project from federal assessment		Canada		N/A
G.	Other	All under this heading are N/A			
92.	CBB to confirm with Canada re: step in agreements required for material construction contracts		Canada	CBB to confirm with Canada what step in agreements are required in respect of the material construction contracts	Canada considering.

FEDERAL LOAN GUARANTEE - LOWER CHURCHILL RIVER PROJECTS – MF, LTA AND LIL

OUTSTANDING ITEMS REQUIRED FOR COMPLETION OF DUE DILIGENCE REVIEW

Legend:

Green Text - Identifies deliverables that Nalcor (Jim Meaney) is to advise on status and/or provide to MWH as soon as possible for the mid-November delivery of the IE Report

Red Text – Identifies deliveries that MWH has requested and/or requires of which MWH is currently in process of reviewing.

Blue Text – Identifies deliveries that will not be available at financial close.

No.	DOCUMENT/ITEM	Section of Independent Engineer’s Report, if applicable	Responsible Party to Provide	Comments	Status (Select either “Deliverable Outstanding”, “Deliverable Provided and Under Review” or “Complete”)
I.	Documents/Information IE has requested:				
A.	Project Design and Projected Performance				
1.	North Spur questions	Section 2, Table 2-1	Nalcor	Table 2-1 is incomplete and MWH is awaiting a response from Nalcor as to the matters set out therein.	Deliverable Outstanding.
2.	River diversion	Section 2.2.4	Nalcor	MWH has requested data from Nalcor in order for MWH to complete this section.	Deliverable Outstanding.
3.	Civil design aspects	Section 2.2.5	Nalcor	MWH has requested a response to email questions sent directly to Nalcor	Deliverable Outstanding.
4.	Firm energy and power and average annual energy and power	Table 3-1	Nalcor	MWH has requested the final data to complete Table 3-1 to reflect the new values.	Deliverable Outstanding.
5.	Data re: diversion flood feature and other cofferdams	Section 3.2.4	Nalcor	a) September 4 – Nalcor emailed MWH to advise that a gated spillway hydraulic design has been posted to Aconex. MWH to confirm that this	a) Deliverable Provided and Under Review. b) Deliverable Outstanding.

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				<p>deliverable is now satisfied.</p> <p>b) September 4 – MWH emailed Nalcor to request that Nalcor provide the report that contains the data to support AON's findings in its insurance submission re: the selection of the cofferdam elevation and to request that Nalcor provide the derivation of the Tr=40yr for the ice jam event. Nalcor replied and stated that it will confirm if the data was sent to MWH previously or addressed in documents. Nalcor will follow up.</p> <p>MWH notes that the recent presentation failed to recognize this design criterion (still using 1:20yr).</p>	
6.	Operating History of Major Equipment	Section 3.5, Table 3-2	Nalcor	MWH emailed a Nalcor representative on September 3, 2012 requesting Nalcor's list of additional equipment that is acceptable and remarks pertaining to history of experience.	Deliverable Outstanding.
7.	Nalcor to provide additional contracts for IE to provide commentary re: technical criteria consistency	Section 3.7	Nalcor		Deliverable Outstanding.
8.	IE needs contracts and contractors re: experience and capability of major project participants	Section 3.8	Nalcor		Deliverable Outstanding.
B.	Construction Plan and Schedule				
9.	Bulk Excavation contract re: guarantees and warranties (IE requires proof that the	Section 4.2, Table 4-1,	Nalcor	Addressed during discussion with Jason Kean on Aug 21 and to be	MWH field report.

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	contractor is performing satisfactorily to opine as to whether any guarantees are required)	Item 6		verified during site visit.	
10.	Bulk Excavation contract re: logistics/storage of materials. IE to assess after field visit	Section 4.2, Table 4-1, Item 9	Nalcor	To be addressed during site visit.	MWH field report.
11.	Bulk Excavation contract re: guarantees and liquidated damages. IE to give opinion before financial close as results will not be available until then. IE also requests planned and actual work progress curves for review.	Section 4.2, Table 4-1, Item 10	Nalcor	To be addressed during site visit.	MWH field report.
12.	Bulk Excavation contract re: performance bonds, LDS, bonus, buydown/out. Data is missing and must be entered and shown in Exhibit 14	Section 4.2, Table 4-1, Item 11	Nalcor	Nalcor does not expect to call upon bond for this contract. October 1 – MWH will note this in the table.	Complete.
13.	Bulk Excavation contract re: critical paths. IE offers no opinion until it reviews the work progress	Section 4.2, Table 4-1, Item 18	Nalcor	Jason Kean to provide updated Integrated Project Schedule (IPS). September 4 – Nalcor emailed MWH to advise that the updated Integrated Project Schedule has been posted to Aconex. MWH to confirm that this deliverable is now satisfied. October 28 – Nalcor provided P6 Schedule to MWH via Aconex on October 22.	Deliverable Provided and Under Review.
14.	Bulk Excavation contract re: likelihood of achieving milestones. IE to give opinion before financial close as it requires time to assess during its field visit	Section 4.2, Table 4-1, Item 19	Nalcor	To be addressed through updated IPS and site visit. October 28 – MWH notes that the	MWH field report.

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				geotechnical portion is received and it is awaiting comments on other subjects.	
15.	Bulk Excavation contract re: riverside cofferdam elevation. IE requested plot of water service elevation	Section 4.2, Table 4-1, Item 20	Nalcor	<p>Discussed with Bob Barnes on Aug 21.</p> <p>September 10 – MWH emailed Nalcor to obtain clarification as to where Nalcor obtained the 40 years for the ice jam. MWH requests that the sequence of the ice jams and their frequency be shown, if available</p>	Deliverable Provided and Under Review.
16.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: qualifications of contractor. Nalcor to provide contract to IE.	Table 4-3, Item 1	Nalcor	<p>CH0007 Contract will be provided to MWH following award, expected in September. Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>October 28 – MWH notes that a portion of the contract has been received. It is awaiting the full contract to allow Table 4-3 of the IE's Report to be completed. The table numbering will be revised in the IE Report accordingly. This status update applies to Items 17-30 below.</p>	<p>Deliverable Provided and Under Review.</p> <p>Note: Only a portion of the contract has been delivered. The complete contract is Outstanding. This note applies to all references to the delivery of CH0007 herein.</p>

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
17.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: contracts performed independently. IE requires CPM schedule	Table 4-3, Item 4	Nalcor	CPM schedule will not be available until after financial close. A discussion will be had with Canada. October 15 – Nalcor has received the CPM template from MWH and is in process of populating it, given the feedback from MWH in respect of the IPS being insufficient.	Deliverable Provided and Under Review.
18.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: contractor's and owner's responsibilities	Table 4-3, Item 5	Nalcor	Exhibit 9 Milestone Schedule is missing from the contract.	Deliverable Outstanding as to Final Contract. Critical Path Schedule also required.
19.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: guarantees and warranties. Nalcor to address provisions re: performance bonds and limit LC.	Table 4-3, Item 6	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review Outstanding as to Final Contract.
20.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: change orders. IE requires a complete, filled in contract	Table 4-3, Item 7	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review Outstanding as to Final Contract.
21.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: transportation plan. IE requires elaboration on the site and transportation provisions in the contract	Table 4-3, Item 8	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review Outstanding as to Final Contract.
22.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: logistics/storage of materials. IE requires transportation plan, warehousing and storage plan and tracking plan for items in warehouses	Table 4-3, Item 9	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review Outstanding as to Final Contract.
23.	Construction of Intake & Powerhouse,	Table 4-3,	Nalcor	Per LCP Contract Update provided	Deliverable Provided and Under Review

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
	Spillway & Transition Dams contract (RFP) re: conforms to industry standards. Nalcor to provide contract to IE.	Item 10		8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Under Review <u>Outstanding as to Final Contract.</u>
24.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: guarantees and liquidated damages. Examples of how LDs are computed to be furnished to the IE for review	Table 4-3, Item 12	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review <u>Outstanding as to Final Contract.</u>
25.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: performance bonds, LDS, bonus, buydown/out. IE requires backup information to support the amounts used for LDs and bonuses	Table 4-3, Item 13	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review <u>Outstanding as to Final Contract.</u>
26.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: compliance, contracts, permits, performance. IE requires listing of contractor furnished permits for review	Table 4-3, Item 14	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review <u>Outstanding as to Final Contract.</u>
27.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: construction schedule. IE requires critical path schedule and execution plan for review	Table 4-3, Item 16	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review <u>Outstanding as to Final Contract.</u>
28.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: schedule review and adequate provisions. IE requires critical path schedule for review	Table 4-3, Item 17	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review <u>Outstanding as to Final Contract.</u>
29.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: critical paths. IE requires more information to assess	Table 4-3, Item 18	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review <u>Outstanding as to Final Contract.</u>
30.	Construction of Intake & Powerhouse,	Table 4-3,	Nalcor	Per LCP Contract Update provided	Deliverable Provided and

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
	Spillway & Transition Dams contract (RFP) re: likelihood of achieving milestones. IE notes that data is missing	Item 19		8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Under Review <u>Outstanding as to Final Contract.</u>
31.	Turbines & Generators Design, Supply and Install contract re: contracts to be performed independently. IE has requested CPM schedule and required supporting data to understand how equipment will work	Table 4-4, Item 4	Nalcor	<p>To be addressed by review of updated IPS provided by Jason Kean. CPM's for individual contracts will not be available prior to Financial Close.</p> <p>Note: Nalcor advises that the above status applies to Items 6,16,17 and 19 of Table 4-3.</p> <p>Copies of QA Plans from Nalcor and contractor to be provided along with certification from Nalcor, per discussion on Aug 20.</p> <p>October 1 – MWH notes that it will be difficult to ascertain if the contract will have the same schedule as assumed by Nalcor.</p>	<u>Deliverable Outstanding as to Critical Path Schedule.</u>
32.	Turbines & Generators Design, Supply and Install contract re: construction schedule. IE requires a CPM	Table 4-4 Item 16	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.
33.	Turbines & Generators Design, Supply and Install contract re: schedule review and adequate provisions. IE requires a CPM	Table 4-4, Item 17	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.

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34.	Turbines & Generators Design, Supply and Install contract re: critical paths. IE requires a CPM	Table 4-4, Item 18	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.
35.	Turbines & Generators Design, Supply and Install contract re: likelihood of achieving milestones. IE requires a CPM	Table 4-4, Item 19	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	See Item 31 above.
36.	SOBI Submarine Cable Design, Supply and Install contract re: completeness. IE notes contract incomplete. IE requires construction drawings to verify design and showing corridor and design details	Table 4-5, Item 3	Nalcor	<p>Nalcor has provided draft cable design and construction drawings.</p> <p>Nalcor has provided deliverable for this item (the SOBI Execution Plan was posted to Aconex for review by MWH on August 16).</p>	Deliverable Provided and Under Review.
37.	SOBI Submarine Cable Design, Supply and Install contract re: contracts performed independently. IE notes contract incomplete. IE requires discussion on interface and for it to be reflected in CPM schedule	Table 4-5, Item 4	Nalcor	<p>The submarine cable route can be seen in section 6.1 of the Project Execution Plan.</p> <p>Nalcor advises that it posted the SOBI Execution Plan to Aconex on August 15. MWH emailed Nalcor to advise that the general route is shown. If there is nothing more to show, then MWH will have to accept as is. MWH awaiting CPM.</p>	Deliverable Provided and Under Review.
38.	SOBI Submarine Cable Design, Supply and Install contract re: logistics/storage of	Table 4-5, Item 9	Nalcor	Nalcor advises that it posted the SOBI Execution Plan to Aconex on	Deliverable Outstanding <u>as to Critical Path Schedule.</u>

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	materials. IE requires additional information re: requirements for storage and requires execution plan			August 15. October 28 – MWH advises that the details pertaining to storage were not given therein.	
39.	Generator step up transformer contract. No information available for review and expected August 2013.	Section 4.6, Table 4-6	Nalcor	Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report. Based on LCP Contract Update provided 8-20-13, award expected in Dec 2013.	Deliverable Outstanding.
40.	Converters & Cable Transition Compounds contract. No information available for review and expected October 2013	Section 4.7, Table 4-7	Nalcor	Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report. Based on LCP Contract Update provided 8-20-13, award expected in Q2'14.	Deliverable Outstanding.
41.	350 KV HVdC Transmission Line Section 1 contract. No information available for review and expected October 2013	Section 4.8, Table 4-8	Nalcor	Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be	Deliverable Outstanding.

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				<p>addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Q2'14.</p> <p>October 1 – MWH requests that Government provide advice as to what MWH can opine since the delivery of the contract is after financial close. [Note: October 7 – CBB notes that if the RFP is available then MWH should review and comment on its reasonability. CBB will review the contract once it is available as to consent to assign].</p>	
42.	350 KV HVdC Transmission Line Section 2 contract. No information available for review and expected after financial close (September 2014)	Section 4.9, Table 4-9	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Q3'14.</p>	Deliverable Outstanding.
43.	Generator Circuit Breakers contract. No information available for review and expected August 2013	Section 4.10, Table 4-10	Nalcor	Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be	Deliverable Outstanding.

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				<p>addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Dec 2013.</p>	
44.	Construction of AC Substations	Section 4.11, Table 4-11	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Based on LCP Contract Update provided 8-20-13, award expected in Mar 2014.</p>	Deliverable Outstanding.
45.	Construction of Intake & Powerhouse, Spillway & Transition Dams contract (RFP) re: guarantees and liquidated damages. IE awaiting decisions by Nalcor re: what Nalcor will require contractor to provide in its bid and IE requires contract for review	Table 4-12, Item 2	Nalcor	Per LCP Contract Update provided 8/20/13, award expected 9/15/13 and MWH will be provided the contract for review to address this item.	Deliverable Provided and Under Review.
46.	Turbines & Generators Design, Supply and Install contract re: guarantees and LDs	Table 4-12, Item 3	Nalcor	To be addressed by review by MWH of updated Integrated Project Schedule posted to Aconex on September 4. CPM's for individual contracts will not be available prior to Financial Close.	Deliverable Outstanding.
47.	Likelihood of achieving milestones	Section 4.14	Nalcor	On September 18 Nalcor advised that it posted the Integrated Project Schedule to Aconex on September 4th.	Deliverable Outstanding. Need Critical Path Schedules (Outdated and further update required)

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				<p>October 1 – MWH notes that this will not suffice.</p> <p>October 28 – This section will be modified on completion of review of P6 CPM.</p>	
48.	Supply contract schedules	Section 4.15	Nalcor	On September 18 Nalcor advised that it posted the Integrated Project Schedule to Aconex on September 4th.	Deliverable Provided and Under Review.
49.	No other equipment where performance test criteria available for comment by the IE other than the turbines and generators	Section 4.16.1.1	Nalcor	To be addressed as awarded contracts provided to MWH. Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.	Deliverable Outstanding.
C.	Capital Budget				
50.	Evaluation of cost estimate and fixed price estimates is currently under review and will be updated once more large contract bids are received	Section 5.1.2	Nalcor	<p>Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>Contract award update presentation made by Lance Clarke to be posted in Intralinks data room and Aconex.</p> <p>October 1 – MWH queries, when is this</p>	<p>Deliverable Outstanding as to contract award schedule.</p> <p>Deliverable Provided and Under Review as to presentation.</p>

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				going to happen?	
51.	Major equipment procurement costs to be completed near financial close as at time of draft IE report only costs associated with the MF plan under the bulk excavation contract and the submarine cable were available. The IE requested information re: the LIL costs and the interconnection costs.	Section 5.1.5	Nalcor	Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.	Deliverable Outstanding.
52.	IE requires confirmation if other costs needs to be listed in tables	Section 5.1.6	Nalcor	<p>a) Contract award schedule reviewed on Aug 20 with MWH, Canada and CBB. Canada/CBB aware that some contracts will be awarded after Financial Close. Canada/CBB will advise on how this will be addressed in the context of IE report.</p> <p>b) September 10 – MWH emailed Nalcor to confirm that Nalcor furnished more information on September 9th. Unless Canada requests more information, then the spare parts will not be identified until the contracts are awarded.</p> <p>October 1 – MWH asks Government to let MWH know what it should say in its responses. [Note: October 7 – CBB confirms that nothing further is needed from MWH but CBB should be provided with the updated charts as we near financial close].</p>	<p>a) Deliverable Outstanding.</p> <p>b) Deliverable Outstanding.</p>
53.	IE requires confirmation as to if any bonus	Section	Nalcor	CD0502 – Only liquidated damages	Deliverable Provided and

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	incentives will be provided for other EPC contracts	5.1.12		<p>CD0501 – Jason Kean to confirm</p> <p>September 9 – Email from Nalcor confirming that there are no other bonus incentives in any of the other agreements that are MWH's focus contract listing. MWH to confirm this is settled.</p> <p>September 10 – MWH emailed Nalcor to advise it is reviewing the information provided by Nalcor and that Canada is also considering additional comments. MWH noted that it has no comments but that the item is still open.</p>	Under Review.
54.	IE requires information as to what Nalcor expects to be provided in the sub-section dealing with "highlight sensitive and critical areas"	Section 5.1.13	Nalcor	<p>September 9 – Email from Nalcor identifying critical risk areas. CBB has followed up with Canada to obtain comments. MWH to confirm this meets its requirements.</p> <p>October 1 - MWH believes that it has the essence of what Nalcor is concerned with, however, what is Government concerned with? MWH has not received any comments from Government on this subject; When will they be received? [Note: October 7 – CBB advises that MWH simply outline the Nalcor identified issues and comment briefly].</p>	Deliverable Provided and Under Review.
55.	Tables 5-4 to 5-6	Table 5-4 to Table 5-6	Nalcor	September 9 – Email correspondence from Nalcor to	Deliverable Outstanding. Should be readily available.

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				<p>MWH regarding costs to input into the tables. MWH to confirm this clarifies its queries on this matter.</p> <p>September 10 – MWH emailed Nalcor to advise MWH and Canada are reviewing and this item is still open.</p> <p>October 1 – MWH has expected all along that there would be an extensive list of spare parts that would come from each of the contracts that they are required to review and those that will not be reviewed by the IE. Nalcor needs to provide this all-inclusive list in MWH's opinion to respond to Government's inquiry.</p>	
56.	Ancillary infrastructure and service costs, Tables 5-13-5-15	Table 5-13, Table 5-14, Table 5-15	Nalcor	<p>September 9 – Email correspondence from Nalcor to MWH regarding the ancillary infrastructure and service costs.</p> <p>MWH corresponded with CBB to confirm that these costs are satisfactory. MWH awaiting comment from Canada as to the appropriateness of MWH commenting on these items as they are not within its direct experience.</p> <p>September 10 – MWH emailed Nalcor to advise it will be providing remarks once Contract CH0007 is</p>	Deliverable Outstanding. Should be readily available.

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				viewed and it will hold off comments until that time. September 23 – MWH emailed seeking an update as to when Contract CH0007 will be available. Nalcor to advise.	
57.	Commitment package cost estimates and contract award cost	Table 5-16	Nalcor	Contract package under review by MWH as to cost estimates and contract award costs.	Deliverable Provided and Under Review.
58.	MWH requires a brief summary on each of the following contracts or RFPS: CD0501 CD0502 CH0006 – MWH believes that it has sufficient information to comment from its field trip CH0007 CH0030 CT0327 CT0346 PH0014 PH0016 LC-SB-003	Table 5-16	Nalcor	MWH requires a brief summary as to the status of the work; the expected final contract amount; any items where issues have surfaced that may significantly impact the final cost of the construction contract and the project schedule to allow MWH to review the summaries and used in the table.	Deliverable Outstanding. <u>Should be readily available.</u>
59.	Payment schedules for contracts reviewed by the IE	Table 5-20	Nalcor	Contracts CH0030, CH0006, CH007 and SOBI are under review.	Deliverable Provided and Under Review.
60.	IE to complete provision re: highlight sensitive and critical areas once Nalcor provides expectations	Section 5.1.13	Nalcor		Deliverable Provided and Under Review.
D.	Commercial Operation and Maintenance Services				
61.	Table of Contents	Section 6	Nalcor	Suggest MWH use the O&M documentation previously provided.	Deliverable Provided and Under Review.

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				RFO/O&M discussion conducted with Bob Barnes and Paul Harrington on Aug 21. Additional information will be provided when available as Nalcor-LCP RFO activities progress leading up to commissioning. This will be after Financial Close.	
62.	IE requires more information re: planner (staffing)	Table 6-4, Table 6-5, Table 6-6	Nalcor	Planners in this context are maintenance planners and reside in the various Nalcor areas. This is a common job position throughout Nalcor. Their primary role is to work with trade areas. This is a common job position throughout Nalcor. Their primary role is to work with trades supervision to plan manpower and resources to execute potential maintenance work order assignments.	Deliverable Provided and Under Review as to total Tro Labrador, total Tro Northern & Central, total Soldiers Pond and total Corporate Head Office.
63.	IE requires confirmation as to the comments made by Nalcor re: biologists and environmental staff	Table 6-6	Nalcor	<p>Nalcor partially responded. Nalcor assumes that other biologists and environmental staff will aid in this effort that are not assigned full-time to the project. If this is the case, then some type of commitment level along with the associated cost should accrue to the project which should be mentioned in MWH's comments in its opinion.</p> <p>Nalcor advises that these costs are included in the environmental operational budget previously provided to MWH.</p>	Deliverable Provided and Under Review.

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				<p>October 1 - MWH was only referring to those who will be charging to the job. If others are charging to the job, why not show that others are also helping that could be shown in the table—MWH needs a number here—is it five more, seven more, one more? The cost is presented but it cannot be directly equated to the number of personnel. MWH's issue is number of personnel, not the cost.</p>	
64.	Reliability Statistics	<p>Table 6.9</p> <p>October 28 – MWH notes Table 6-10 updated</p>	Nalcor	<p>MWH to complete Table 6-10 and will require additional information to be requested by separate communication to Peter Madden regarding Dafor and Daufop. MWH will fill in the blank and will remove the yellow shaded statement when it has completed this section.</p> <p>October 1 – MWH asks if the Daufop, Dafor and ICBF are available. MWH does not have sufficient information to complete Daufop but it has computed Dafor and ICBF.</p>	Deliverable Outstanding.
E.	Project Agreements				
65.	O&M agreements not available for review as of July 12	Section 7.6	Nalcor	<p>Approach for project agreements review discussed with Canada, CBB and MWH on Aug 20. Canada/CBB to coordinate with MWH on deliverables for this section.</p>	<p>Complete <u>Deliverable Outstanding. MWH needs spreadsheet illustrating how O&M costs derived.</u></p>

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				October 1 - MWH has added information to the IE's Report that addresses the current condition of the Agreements yet to be drafted and issued. MWH believes that it has completed this item; Government to verify that the IE's Report reflects the appropriate response required by Government. [Note: October 7 – CBB advises that this is complete. Nothing further required].	
G.	Nalcor Energy's Project Financial Pro Forma				
66.	Historical costs	Table 9-4	Nalcor	MWH is awaiting a response as to the listing of historical costs.	Deliverable Outstanding Complete.
67.	Appendices to the IE Report	Appendices	Nalcor	-Appendix J- Construction Budget - Costs to be bundled to roll-up sensitive contract values, Jason Kean - Appendix O - Total list of contracts - Nalcor to update - Paul Kennedy	Deliverable Outstanding as to Appendix J. Blair Franklin to discuss with Nalcor. Deliverable Outstanding as to Appendix O.
H.	Other				
68.	Board of Consultants' reports to be provided to MWH		Nalcor	Nalcor has provided the April 2013 report and related documentation.	
69.	MWH has requested the value for verification of hydraulic parameters. Specifically, at pool elevation 45.1, with the gates fully open, and the RCC overflow dam fully functional, what is the discharge out of the Gated Spillway (5) and the RCC Dam?	Section 3	Nalcor	On October 15, CBB requested Nalcor provide this information.	Canada considering.
70.	MWH has requested that Nalcor provide evidence of how the reservoir will be cleared in MF (a disposal area should be designated on the project drawings and a	N/A	Nalcor	On October 21, CBB requested that Nalcor provide this information.	Deliverable Outstanding.

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	description of how the debris will be handled identified).				
71.	<p>MWH notes that during the site visit it did not visit the AC/DC converter stations, the site switchyards (other than MF), the sites for the crossing of the SOBI or any representative portions of the proposed transmission route).</p> <p>MWH further identifies that it did not visit the principal borrow areas for materials for concrete, the dam construction and road building and the major borrow areas.</p>	N/A	Nalcor	MWH requests that Nalcor provide current photos to show any progress in site clearing and road construction to the areas noted in this item. MWH notes that this may suffice for the purposes of the report.	Deliverable Outstanding.
72.	MWH to follow up with Nalcor as to Nalcor performing additional generation runs re: Hatch power study and energy study models.	N/A	Nalcor		Canada considering.
73.	MWH requested that Nalcor provide it with information as to how it can determine the permit cost for the land acquisitions and for MF, LTA and LIL	N/A	Nalcor	MWH made this request via email on October 18.	Deliverable Outstanding.
74.	P6 Schedule Templates	N/A	Nalcor	Nalcor provided to MWH via Aconex on October 22.	Deliverable Provided and Under Review.
75.	CH0007 re: South Dam	N/A	Nalcor	<p>MWH requested on October 24th that Nalcor confirm ASAP that the South Dam is now included in Contract CH0007.</p> <p>On October 25th Nalcor replied and advised that it has not conclusively established that the South Dam will be in Contract CH0007.</p>	Deliverable Outstanding.
76.	Results of additional generation runs	Table 3-1	Nalcor	Hatch's run to result in new values for firm energy, firm power, average annual energy and average annual power for MF. Nalcor to advise when	Canada considering.

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				<p>this work can start and what the predicated date is for results to be delivered to Government and MWH for review.</p>	
77.	<p>Construction of Intake & Powerhouse, Spillway & Transition Dams Contract - Astaldi schedule to Astaldi proposal</p>	N/A	Nalcor	<p>MWH wants to know when the schedule that Astaldi furnished with the proposal, that will be part of the contract, will be available for review.</p> <p>October 28 – Nalcor advises that it is currently “fine tuning Astaldi’s construction approaches” and the contractual documentation will be provided once the contract is executed in a couple of weeks.</p>	<p>Deliverable Outstanding. May be available post-financial close.</p>
78.	<p>Construction of Intake & Powerhouse, Spillway & Transition Dams Contract - MWH requires confirmation whether Government expects MWH to comment on each manufacturer, subcontractor and material supplier</p>	N/A	CBB/Canada	<p>If this is required, Nalcor must furnish to MWH Nalcor’s evaluation of these parties who will support Astaldi, for MWH review and opinion.</p>	<p>Canada considering.</p>
79.	<p>Construction of Intake & Powerhouse, Spillway & Transition Dams Contract – Astaldi Appendix 16A - MWH requires confirmation from Nalcor as to what “solution” was selected:</p> <ul style="list-style-type: none"> • Solution 1: Concrete production, forming and concreting self-performed by Astaldi; and • Solution 2: Concrete production, sub-contracted 	N/A	Nalcor		<p>Deliverable Outstanding.</p>
II.	General				
A.	Corporate	All under this heading are			

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		N/A unless otherwise stated			
80.	Final versions of the articles and bylaws for all of the following entities: a) MFCo b) LTACo c) Devco d) LIL Holdco e) LIL OpCo		FMD	CBB was advised by FMD via email on September 6 that FMD is waiting for authorization from the province to incorporate the entities and that the drafts of the constating documents provided in the Financing Data Room are in final form other than Devco, which may change to expand the Devco mandate. CBB to confirm with FMD at the end of October that the entities have been incorporated.	Deliverable Outstanding.
B.	Real Estate	All under this heading are N/A			
81.	Comprehensive map of LCRP		Nalcor	CBB and the Nalcor LCP Lands Team had a call on September 20th to discuss the LIL Assets Maps, the MF Assets Map and the LTA Assets Map. Nalcor to provide the following deliverables to CBB: a) Updated versions of the maps to include the updated Crown rights of way, insertion of the Crown land numbers, grant application numbers, updates on permits and private lands acquired and updated to reflect the permanent assets	Deliverable Provided and Under Review in respect of maps. See Item 82 below as delivery to CBB of Item 82, in satisfactory form, is required to satisfy Item 81.

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				<p>October 1 – MWH has presented in the Appendix to the IE's Report a general, large scale map. Is there any additional need to include other reference material in the IE's Report? MWH does not think so but based on feedback to date, if there is, please advise MWH. [Note: October 7 – CBB advises that nothing further is required from MWH. CBB is dealing with land use and permits].</p>	
82.	<p>Nalcor report and certificate re: land rights</p>		<p>Nalcor</p>	<p>Nalcor to provide CBB with a report including the approved form of statutory easements, leases, deeds, owned properties, private lands etc. all pertaining to the land rights. Nalcor to provide CBB with a Certificate certifying the route and all requisite documentation evidencing land rights (i.e. deeds, statutory easements, leases, title to private lands etc.) for each of the projects (MF, LTA and LIL) including certifying all requisite permits including environmental, access and building.</p> <p>Essentially, Nalcor to certify that it has all the land rights (legal and land use arrangements) needed to complete the projects, as well as to provide evidence of same.</p>	<p>Deliverable Outstanding.</p>
83.	<p>Status of negotiations for private land acquisition for MF, LTA and LIL</p>		<p>Nalcor</p>	<p>See Item 82 above.</p>	
84.	<p>Copies of purchase and sale agreements for</p>		<p>Nalcor</p>	<p>See Item 82 above.</p>	

No.	DOCUMENT/ITEM	Section of Independent Engineer's Report, if applicable	Responsible Party to Provide	Comments	Status (Select either "Deliverable Outstanding", "Deliverable Provided and Under Review" or "Complete")
	private land acquisition and copies of any easements or titles granted				
C.	Licenses and Permits	All under this heading are N/A			
85.	Confirmation that the permits and licenses provided in the Nalcor Financing Data Room have been obtained. The Financing Data Room currently contains Excel sheets that require status updates		Nalcor	See Item 82 above.	
86.	Provide status of all outstanding Crown applications for MF, LTA and LIL		Nalcor	See Item 82 above.	
87.	Provide status of all private land acquisitions or easements to be granted		Nalcor	See Item 8 above.	
D.	Material Contracts	All under this heading are N/A			
88.	Addendum re: EPCM contract to add integrated model		FMD	CBB following up as FMD advises no addendum will be prepared. October 1- MWH queries what action is required of it. It has incorporated the material supplied by Nalcor into the IE's Report. [Note: October 7 – CBB advises nothing further is required].	
89.	Form of Progress Certificate		FMD	October 1 – MWH queries if the final form is being developed and when can it be provided. [Note: October 7 – CBB has provided the certificate for MWH. The preparation of the form of the monthly report from Nalcor is in process].	
E.	Reports	All under this heading are N/A			

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90.	Final IE Report		Independent Engineer	To be provided before financial close.	Deliverable Outstanding.
F.	Environmental	All under this heading are N/A			
91.	Release of the LIL project from federal assessment		Canada		N/A
G.	Other	All under this heading are N/A			
92.	CBB to confirm with Canada re: step in agreements required for material construction contracts		Canada	CBB to confirm with Canada what step in agreements are required in respect of the material construction contracts	Canada considering.

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Description	#9375018v11<Legal> - LCRP (Nalcor - MF/LTA/LIL) - List of Outstanding Items Required for Due Diligence Review
Document 2 ID	interwovenSite://CASSELS-DMS/Legal/9375018/12
Description	#9375018v12<Legal> - LCRP (Nalcor - MF/LTA/LIL) - List of Outstanding Items Required for Due Diligence Review
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Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	26
Deletions	17
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	43