

From: Manzer, Alison <amanzer@casselsbrock.com>
Sent: Friday, May 15, 2015 9:41 AM
To: jamesmeaney@lowerchurchillproject.ca
Subject: Re: Nik

No need I was about to send you exactly the same message - let's get it organized.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: JamesMeaney@lowerchurchillproject.ca
Sent: Friday, May 15, 2015 8:01 AM
To: Manzer, Alison
Subject: Re: Nik

I am thinking we need a "come to jesus" meeting next week somewhere in the middle...like Toronto. Get Pat Corser, Nik, Nalcor, Emera and Canada in a room and find a way to get MWH and Nik to work together...even if it involves engaging both and have them "partner" to deliver the IE services. Can you run this by Anoop and see his availability. I will herd the Nalcor and Emera folks once we know that, and then we tell the boys we need them to meet us there.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Manzer, Alison
Sent: Thursday, May 14, 2015 7:07 PM
To: JamesMeaney@lowerchurchillproject.ca
Subject: Re: Nik

Anoop thinks we need a three way (4 with Emera_) to work this out we all want Nik with. MWH - MWH wants to push Nik out - need to assess the real issues and bridge to what we want. What do you think?

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: JamesMeaney@lowerchurchillproject.ca
Sent: Thursday, May 14, 2015 2:53 PM
To: Manzer, Alison
Subject: Re: Nik

ah yes....always the "wild card" when dealing with governments

James Meaney

General Manager Finance

PROJECT DELIVERY TEAM

Lower Churchill Project

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e. JamesMeaney@lowerchurchillproject.ca

w. muskratfalls.nalcorenergy.com

You owe it to yourself, and your family, to make it home safely every day. What have you done today so that nobody gets hurt?

From: "Manzer, Alison" <amanzer@casselsbrock.com>
To: "JamesMeaney@lowerchurchillproject.ca" <JamesMeaney@lowerchurchillproject.ca>,
Date: 05/14/2015 04:05 PM
Subject: Re: Nik

I agree and have said so - issue is perception and press.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: JamesMeaney@lowerchurchillproject.ca

Sent: Thursday, May 14, 2015 2:29 PM

To: Manzer, Alison

Subject: Re: Nik

OK...will do.

With respect to their concern on "if something goes wrong"my two cents is at the end of the day the IE contract really means nothing for Canada in that regard.....that's where the PFAs and IGA come in.

IE liability under the contract is very limited per Section 18.13 - "...the maximum aggregate liability of Contractor to Company under the Agreement shall not exceed the value of compensation for services." It's a time and materials contract that had an award budget of approx \$1m per year. Actual billings to date have been a fair bit below that where it's been primarily Nik working on the file (other than the site visits where others brought in). On the insurance front, the IE needs to have \$1m E&O and \$1m CGL coverage per Sections 19.1 and 19.2, respectively. Nik told Gilbert he can get \$2m for each. He also knows enough folks in the industry to get the required expertise.

James Meaney

General Manager Finance

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From: "Manzer, Alison" <amanzer@casselsbrock.com>
To: "JamesMeaney@lowerchurchillproject.ca" <JamesMeaney@lowerchurchillproject.ca>,
Date: 05/14/2015 03:34 PM
Subject: Re: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]

Absolutely.

Sent from my BlackBerry 10 smartphone on the Rogers network.

<p>From: JamesMeaney@lowerchurchillproject.ca Sent: Thursday, May 14, 2015 1:45 PM To: Manzer, Alison Subject: Re: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]</p>
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Would it be worthwhile to have Gilbert talk with Anoop today?

James Meaney

General Manager Finance

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From: "Manzer, Alison" <amanzer@casselsbrock.com>
To: "JamesMeaney@lowerchurchillproject.ca" <JamesMeaney@lowerchurchillproject.ca>,
Date: 05/14/2015 03:08 PM
Subject: Re: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]

Canada still considering - concerned about impression if something goes wrong - need to ensure insurance and access to expertise. I am pushing for a positive response.

Sent from my BlackBerry 10 smartphone on the Rogers network.

<p>From: JamesMeaney@lowerchurchillproject.ca Sent: Thursday, May 14, 2015 1:35 PM To: Manzer, Alison Subject: RE: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]</p>
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Have you heard back from Canada on this? Gilbert is at a Canadian Electric Association conference today and both Nik and Anoop are there. He had a quiet chat with Nik about the situation with MWH and the possibility of him becoming the IE on his own. Gilbert asked me to reach out to MWH to find out how they plan on handling the IE certificates later this month, as apparently there is currently no signed agreement with Nik. Gilbert is a bit concerned about this. That was the reason I just sent that note to Pat Corser (he had also left me a VM today looking for an update).

James Meaney**General Manager Finance****PROJECT DELIVERY TEAM****Lower Churchill Project**

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From: "Manzer, Alison" <amanzer@casselsbrock.com>
To: "JamesMeaney@lowerchurchillproject.ca" <JamesMeaney@lowerchurchillproject.ca>,
Date: 05/12/2015 11:25 AM
Subject: RE: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]

Have send note to Canada – have advised no procurement issue because not our retainer (same as before) – will advise when I hear back.

**Alison Manzer**Direct: +1 416 869 5469 • Fax: +1 416 350 6938 • amanzer@casselsbrock.com

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From: JamesMeaney@lowerchurchillproject.ca [<mailto:JamesMeaney@lowerchurchillproject.ca>]

Sent: Tuesday, May 12, 2015 9:50 AM

To: Manzer, Alison

Subject: Re: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]

Hi Alison

I spoke with Gilbert yesterday about the possibility of engaging Nik on his own as the IE instead of MWH. Our procurement process does provide for sole source contracting without re-opening an RFP based on certain criteria along with executive sign off. Can you please confirm with Anoop/Ann if we went that route, could it work for Canada and not trip up any federal procurement requirements. We'd basically put the sample IE contract and reliance agmnt in place with Nik as we have with MWH. Need to understand if that's a viable option along with others.

Thanks

Jim

James Meaney

General Manager Finance

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From: "Manzer, Alison" <amanzer@casselsbrock.com>

To: "JamesMeaney@lowerchurchillproject.ca" <JamesMeaney@lowerchurchillproject.ca>,

Date: 05/11/2015 04:08 PM

Subject: This is NOT consistent with what I am getting from Nik. [IWOV-Legal.FID1640195]



Alison Manzer

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