

From: Palumbo Mauro
To: [Sammartino Lidia](#); [Robasto Maurizio](#)
Subject: I: Proposed Signing of Contract Agreement with Nalcor on or before 30 Nov, 2013
Date: Monday, November 25, 2013 4:21:00 AM
Attachments: [image001.jpg](#)

Da: Venturini Guido
Inviato: venerdì 22 novembre 2013 21:32
A: Lanciani Mario; Triassi Emanuele
Cc: Palumbo Mauro; Hoffman Jennifer; Robasto Maurizio
Oggetto: Fwd: Proposed Signing of Contract Agreement with Nalcor on or before 30 Nov, 2013

Urgent for your interest

Guido

Begin forwarded message:

From: Chryssolor Ken <k.chryssolor@Astaldi.com>
Date: November 22, 2013, 1:51:48 PM EST
To: Venturini Guido <g.venturini@astaldi.com>
Subject: Proposed Signing of Contract Agreement with Nalcor on or before 30 Nov, 2013

Following our conference call with Emmanuel Triassi, Lorna Tardif, Paul Shelley, yourself and me, with regards to the signing of the agreement shortly, I want to inform you of the consequences of signing such an agreement without considering the effects on the present milestone dates.

Astaldi submitted a proposal and work schedule on 16 April, 2013

- a. The anticipated award was 31 July, 2013
- b. On 24 September, 2013 Nalcor issued a LNTP, with signing of agreement scheduled for 31 October, 2013.
- c. On 31 October, 2013 an amendment #1 was issued extending the closing date to 30 November, 2013.

A delay of 4 months has already been encountered.

The whole project schedule for the intake and powerhouse has been completely disturbed and is dependent upon two (2) main factors.

1. Supply and erection of ICS by 24 March, 2014 (Original Date)
2. Concrete placement P.H. Unit 1, slab 02 March, 2014 – 15 April, 2014
Concrete placement Turbine Section 11 March, 2014 – 08 April, 2014
3. Supply of Draft Tubes (Elbows)

As we cannot place orders for items 1&3 without Nalcor's approval (Correspondence for approval has been addressed to Nalcor, with no response to date) Consequently, I wish to inform you not to sign any agreement unless the milestone dates have been

reviewed, revised and agreed by both parties.

If we commit to signing a formal agreement without considering the effects of the delays we are relinquishing all our legal rights to extension of time in the contract. Signing of contract in Canada by means of "intimidation" or "duress" is not acceptable. (Speak to your legal advisors)

Therefore we have two options;

1. Refuse to sign the contract as presented.
2. Delay signing a formal agreement until mid-February 2014 taking into consideration revised milestone dates.

I am protecting Astaldi's interests & not Nalcor's.

Please inform your superiors of my serious concerns, as we will not be able to achieve under the present circumstances the milestone date for the powerhouse and intake. You are aware that I am presently involved in a similar situation, presently in the court of Quebec for a similar situation on a large Hydro Project.

Ken Chrissolor

Jean Pilgrim

Executive Assistant to the Project Manager

Logo Astaldi Canada SMALL



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