

CIMFP Exhibit P-03665

PCN-0690

Muskrat Falls - Demonstrations and Protests (October 2016)

Section 1:	Request for Prop	osed C	Change			
CM X-Ref.	A STATE OF THE PARTY OF THE PAR		DAN-2259, PCN-0		Date Originated	7 Nov 2016
	PCN-0709	PCN-U	688, PCN-0293, P	CN-0706,	Originator	Tanya Power
				P	ackage Leader / Engineer	
					Area Manager	
Origin					Scope / Project Manager	Gilbert Bennett
☐ Intern	al PMT		Contractor/Sup	plier	<b>Current Status</b>	Under Review
☐ Other	Nalcor		Construction Si	te Event	Revision	1
☐ SNC-L	avalin	Z	Other External	Demonstrations/Protests	TL 267 Project	

Agreement No.	Description	
CD0509	Construction Telecommunication Services - Phase 2	
CH0009-001	Construction of North and South Dams	
SH0018-001	Provision of Catering, Housekeeping and Janitorial Services (MF)	
SH0019-001	Provision of Security Services	
SH0020-001	Provision of Medical Services	
SH0041-001	Provision of Ground Transportation Services (HVGB to MF)	
SH0051	Provision of Buildings Maintenance Services (MF)	
SM0709-001	Provision of Air Transportation Services	
XX0100	NE-LCP Owners Team, Admin Services	
XXSMFG	Muskrat Falls Site Purchase Orders	



#### Description

Rev. 1 (03-Apr-2017):

As noted in revision 0 of this PCN, full cost and schedule impact associated with the October 2016 protest event could not be determined at the time of PCN approval and an interim contingency drawdown was required to provide a budget allowance for those impacts that had already been defined/incurred. Direct construction costs as well as external and third party costs have now been finalized. This PCN is for the documentation of these cost associated with the October 2016 protest event, as well as for approval of the required budget transfers to address the final budgetary requirements.

Attachment 01 provides a summary of all costs including the current budgets, commitments and required budget transfers as part of the revision to this PCN. Back-up documentation for each of the commitments made is also included in the subsequent attachments.

It is important to note that the costs associated with this protest event go beyond the direct costs noted as part of this PCN and are difficult to measure. For example, there is the loss of income for all of the workers that had to be demobilized due to the protest, extra costs and schedule delays incurred due to extending critical work out into the Winter season, etc. The costs noted in this PCN are direct costs only and do not account for schedule delays or Contractor claims. These have been or will be addressed via other DANs/PCNs which have or will reference this PCN. In addition, there are extra costs to the project as a result of the agreement the Government of NL made with the Aboriginal groups to end the protest. To date, PCNs 0293 Rev. 2, 0685, 0688 and 0693 have been approved with scopes related to this agreement. Any other costs will be captured in future PCNs or PCN revisions.

#### **Rev. 0:**

This PCN is to document approval of an interim drawdown of contingency funds for costs associated with the demonstrations/protests at the MF Site and the Torbay Road Office in October 2016 (see below for a summary of events). It is not intended to cover the full cost and schedule impact associated with this event which cannot be determined until all claims are received from the Contractors who were impacted and a full schedule analysis is completed. This interim contingency drawdown will provide a budget allowance under MF for those impacts that have already been defined/incurred.

Services/Contracts that costs have been estimated include: Provinical Airlines (flights for demob), Helicopter services, Security Services (both site and office), Fuel Supply, additional PPE, etc. In order to address the urgent requirements during the protests, the majority of these commitments were made on existing Contracts. It is anticipated that moving forward a new Commitment Package will be created to capture all protest related disruptions; this will be the topic of a future PCN.

In order to ensure sufficient budget is available to make immediate commitments, an allowance of \$1,500,000 under MF will be added to XX0100 Owner's Cost; and an allowance of \$2,000,000 will be added to SM0709-001 for mob and demob flights (\$1,500,000 under MF, \$300,000 under LITL and \$200,000 under LTA).

On the 15-Oct-2016, a group of demonstrators protesting against the development of the Muskrat Falls Project blocked access to the site. As a result, Contractors and Staff not staying on site in the Accommodations Complex could not proceed to site. As of October 16, all non-essential travel to the MF Site was also cancelled. On October 17, the main gate was reopened and access to site was granted for Contractors and Staff located offsite. On October 20, protest activities impacted inbound and outbound traffic at the MF Main Gate. On October 21, protectors gathered at the Torbay Road Office in St. John's and gained access to the lobby at approximately 8:30 am. Staff who had not reported to work at that time were instructed not to proceed to work and staff inside the building were instructed to not leave. Staff were dismissed at 3:30 pm that day. On October 22, approximately 50 protestors and several vehicles breached the MF Main Gate and occupied the Accommodations Complex. Another group of about 100 protestors remained outside the main gate restricting access to and from site. On October 23, Contractors began demobilizing all non-essential staff as well as those who's shift was scheduled to conclude. On October 26, after an agreement was reached between Provincial Government and the Aboriginal Groups the protestors left the site. Mobilization of contractors and staff back to the site has commenced.



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### **Project Change Notice**

EGWEN ENGINE PROJECT	
Rationale	
Rev. 1 (03-Apr-2017):	

Rev. 0:

No change.

It is anticipated that the cost and schedule impacts associated with these events will be significant and will likely not be able to be absorbed within the current AFE Rev. 3 project budget and baseline schedule. All costs will be tracked under newly created cost codes; subsequent revisions to this PCN will document the full cost and schedule impacts as they are identified.

**Benefits** 

Rev. 1 (03-Apr-2017):

No change.

Rev. 0:

The interim budget allowance will ensure that sufficient budget is available to make immediate commitments that are required and cost impacts are properly tracked.

### CIMFP Exhibit P-03665



Categorization		Affected Project Component		
Scope Add Scope Mod		ion	<ul><li>☐ Maritime Link</li><li>☐ Nalcor PM</li><li>☐ Other</li></ul>	
Cost Control Acco		ary escription	Esti	mated Cost
5.3.121.0000.0101		cternal and 3rd Party costs related to protest activities		(\$541,941
5.3.121.0000.0101		cternal and 3rd Party costs related to protest activities		\$1,500,000
5.3.526.2100.0207		F Direct Construction Charges resulting from Protest Activi	ties	\$748,025
5.3.526.2100.0207		F Direct Construction Charges resulting from Protest Activi		(\$323,430)
5.3.526.2100.0207		F Direct Construction Charges resulting from Protest Activi		\$1,500,000
5.3.990.0000.0699	9.99.02 M	F Project Contingency		(\$748,025
5.3.990.0000.0699	9.99.02 M	F Project Contingency		\$865,371
5.3.990.0000.0699	9.99.02 M	F Project Contingency		(\$3,000,000
5.4.526.2100.0207	7.14.00 LI	TL Direct Construction Charges resulting from Protest Activ	rities	(\$300,000
5.4.526.2100.0207	7.14.00 LI	TL Direct Construction Charges resulting from Protest Activ	rities	\$300,000
5.4.990.0000.0699	9.99.02 LI	TL Project Contingency		\$300,000
5.4.990.0000.0699	9.99.02 LI	TL Project Contingency		(\$300,000)
5.6.526.2100.0207	7.14.00 LT	A Direct Construction Charges resulting from Protest Activ	ities	(\$200,000)
5.6.526.2100.0207	7.14.00 LT	A Direct Construction Charges resulting from Protest Activ	ities	\$200,000
5.6.990.0000.0699	9.99.02 LT	A Project Contingency		\$200,000
5 6 990 0000 0699	9.99.02 LT	A Project Contingency		(\$200,000)
3.0.330.0000.003			Total Estimated Cost	



Rev. 1 (03-Apr-2017):

Associated POs, WTOs, PO Amendments and CRs/COs are summarized in Attachment 01 and attached to this PCN.

LC-PM-205 is complete at a final invoiced cost of \$371,682. The requisition for this PO is required to be revised/reduced.

Rev. 0:

Requisitions and purchase orders/contracts will be created and/or revised to ensure that the new cost codes are identified and all associated costs are properly tracked. The requisitions and purchase order amendments will be attached to this PCN.



**Cost Control** 

**Reviewed By** 

Date Reviewed: 13 APL 17



Rev. 1 (03-Apr-2017):
Budgets transfers as summarized in the above CCA Table and highlighted in more detail in Attachment 01 are required.
\$300,000 will be returned to LITL Contingency and \$200,000 will be returned to LTA Contingency as it was not required.
\$323,430 allocated for air transportation under SM0709-001 was not required and will be returned to MF Contingency.
\$748,025 is required to be transferred from MF Contingency to CCA code 5.3.526.2100.0207.14.00 - MF Direct Construction Charges Resulting from Protest Activities and allocated to various contracts as noted in Attachment 01.
\$541,941 will be returned to MF Contingency from CCA code 5.3.121.0000.0101.02.00 - External and 3rd Party Costs Related to Protest Activities.
It should be noted that the total cost under 5.3.121.0000.9000.04.00 - LCP PMT Salaries related to MF Protest Activities is \$293,031, however, there will be no transfer of budget from MF Contingency to the MFL for this amount. Since the costs under this code are for time worked by existing members of the LCP-PDT to respond to the protest, the required budget will be transferred from other MFL accounts and transferred to this account at the appropriate time. The justification for this is that this is for hours worked by the LCP-PDT. If Project Delivery Personnel were not working in some capacity associated with the protest event, then they would have been working on another aspect of the project. The overall MFL budget would have accounted for the time worked.
As noted previously, the costs noted in this PCN are direct costs only and do not account for schedule delays or Contractor claims or costs associated with the agreement the Government of NL made with the Aboriginal groups to end the protest. These have been or will be addressed via other DANs/PCNs which have or will reference this PCN.
Rev. 0:
An interim contingency drawdown is required from MF, LITL and LTA Contingency in order to cover the immediate commitments related to the demonstrations / protests in October 2016. See Attachment #1 for costs identified to date.
An allowance of \$1,500,000 will be transferred from MF Contingency to XX0100 to cover any costs related to these events, this includes but is not limited to: helicopter and other travel costs, fuel supply, additional security services and associated additional radios and PPE, etc. A new cost code has been created to track these costs.
In addition, an allowance of \$1,500,000 for MF, \$300,000 for LITL and \$200,000 for LTA will be transferred to SM0709-001 to cover mob and demob flights.
Claims are expected related to mob/demob costs as well as delay of the delivery of the converter transformers from Bay Bulls to MF Site (now delayed until spring 2017). This PCN will be revised once costs are identified.
The majority of the cost and schedule impacts will be known once claims are received from the Contractors that were impacted at the MF site. These costs have not yet been estimated.



Rev.	3-Apr-2017):	
delay	costs associated with the October 2016 protest have been documented in this PCN. Costs associated with claims, sched with the agreement the Government of NL made with the Aboriginal groups to end the protest have been or will be d via other DANs/PCNs which have or will reference this PCN.	lule
Rev.		
	nd schedule impacts will be documented once they are identified. This PCN will be revised once these are I/known.	
	ealth & Safety	
	perations/Reliability	
	operty and Lands	
	uality	
	eputation	
L		
V	hedule Reviewed By Date Reviewed: 13 APR 17	
Rev.	-Apr-2017):	
	accounts for direct costs associated with the October 2016 protest only. Schedule delays have been or will be addressed	d
via ot	DANs/PCNs which have or will reference this PCN.	
Rev.		
Sched	impacts are not known at this time; however, will be identified in future revisions to this PCN.	
П	ther	



#### Section 3: Risk Screening

N/A: 🔽	Low	Medium	High
Risk Pre-Change			
With Proposed Change			
Janya Powe	1	13-A	0r-2017
Risk Coordinator	·	Date	

Comments

Rev. 1 (03-Apr-2017):

No change.

Rev. 0:

Change required to formalize allocation of funds to cover incurred cost as a result of the response plan implemented by the LCP Project to deal with the issue of Demonstration/Protests at MFG site ocurred in October 2016.

Whereas a risk assessment is not appropriate / applicable to this change, completion of the risk matrix is not required and therefore not included in this PCN printout.

#### Section 4: Implementation Plan

#### **Implementation Strategy**

Rev. 1 (03-Apr-2017):

All commitments related to the demonstrations/protests in October 2016 have been tracked using newly created cost codes.

Budget transfers as defined in the Cost Control Section under the impact details of this PCN are required to address budgetary requirements for the commitments made.

Note that this PCN includes direct construction costs only and does not include costs associated with claims, schedule delays or with the agreement the Government of NL made with the Aboriginal groups to end the protest. Costs associated with these items have been or will be addressed via other DANs/PCNs which have or will reference this PCN.

The requisition for LC-PM-205 will be updated/reduced to the final invoiced amount.

Rev. 0:

All commitments related to the demonstrations/protests in October 2016 will be tracked using newly created cost codes.

Actual commitments will be monitored by the Senior Cost Controller to ensure sufficient budget is available. Once additional costs are identified (ie. through Contractor claims) this PCN will be updated.

<sup>\*</sup> Reference Project Risk Management Plan for risk screening guidelines.



#### <u>Actions</u>

Action	Actionee	Status
Rev. 0: Update Current Control Budget in PM+	George Chehab	Complete
Rev. 1: Update Current Control Budget in PM+	George Chehab	Incomplete
Rev. 0: Update Current Control Budget in PRISM	Brian Marsh	Complete
Rev. 1: Revise current requisition for LC-PM-205	Stephanie Stewart	Incomplete
Rev. 1: Update Current Control Budget in PRISM	Brian Marsh	Incomplete

#### **Documents**

Name	File Name
Rev. 0: Attachment #1	DAN-2259 - Summary of Impacts - 11-Nov-2016.xlsx
Rev. 0: Completed Action #1	Completed Action - George Chehab - Update Current Control Budget in PM+.pdf
Rev. 0: Completed Action #2	PCN-0690 - Brian Marsh action.pdf
Rev. 0: PCN-0690	PCN-0690 - Closed.pdf
Rev. 0: PCN-0690 - Approved	PCN-0690_Approved.pdf
Rev. 1: Attachment #01	Attachment 01 - Cost Summary (05-Apr-2017).xlsx
Rev. 1: Attachment #02	Attachment 02 - CD0509-002 Amend 07 Requisition Rev. 6.pdf
Rev. 1: Attachment #03	Attachment 03 - CD0509-002 Amend 07.pdf
Rev. 1: Attachment #04	Attachment 04 - FWO-CH0009001-0017.pdf
Rev. 1: Attachment #05	Attachment 05 - CHO-CH0009001-0008.pdf
Rev. 1: Attachment #06	Attachment 06 - CHR-SH0018001-0010.pdf
Rev. 1: Attachment #07	Attachment 07 - CHO-SH0018001-0014.pdf
Rev. 1: Attachment #08	Attachment 08 - SH0051-195 AMEND 19 PR-1376.pdf
Rev. 1: Attachment #09	Attachment 09 - SH0051-195 Amend 19 PO.pdf
Rev. 1: Attachment #10	Attachment 10 - SH0051-195 Amend 20 PR-1372.pdf
Rev. 1: Attachment #11	Attachment 11 - SH0051-195 Amend 20 PO.pdf
Rev. 1: Attachment #12	Attachment 12 - SH0051-195 AMEND 21 PR-1328.pdf
Rev. 1: Attachment #13	Attachment 13 - SH0051-195 Amend 21 PO.pdf
Rev. 1: Attachment #14	Attachment 14 - SH0051-195 Amend 23 PR-1885.pdf
Rev. 1: Attachment #15	Attachment 15 - SH0051-195 Amend 23 PO.pdf
Rev. 1: Attachment #16	Attachment 16 - SH0051-195 AMEND 24 PR-1279.pdf
Rev. 1: Attachment #17	Attachment 17 - SH0051-195 Amend 24 PO.pdf
Rev. 1: Attachment #18	Attachment 18 - SH0051-202 Amend 45 PR-1371.pdf
Rev. 1: Attachment #19	Attachment 19 - SH0051-202 Amend 45 PR-1373.pdf
Rev. 1: Attachment #20	Attachment 20 - SH0051-202 Amend 45 PO.pdf



Rev. 1: Attachment #21	Attachment 21 - SH0051-202 Amend 46 PR-0412.pdf
Rev. 1: Attachment #22	Attachment 22 - SH0051-202 Amend 46 PO.pdf
Rev. 1: Attachment #23	Attachment 23 - SH0051-208 Amend 9 PR-1382.pdf
Rev. 1: Attachment #24	Attachment 24 - SH0051-208 Amend 9 PO.pdf
Rev. 1: Attachment #25	
	Attachment 25 - SH0051-214 AMEND 14 PR-1326.pdf
Rev. 1: Attachment #26	Attachment 26 - SH0051-214 AMEND 14 PO.pdf
Rev. 1: Attachment #27	Attachment 27 - SP0001-067 AMEND 1 PR-1333.pdf
Rev. 1: Attachment #28	Attachment 28 - SP0001-067 AMEND 1.pdf
Rev. 1: Attachment #29	Attachment 29 - SP0001-067 AMEND 2 PR-0496.pdf
Rev. 1: Attachment #30	Attachment 30 - SP0001-067 AMEND 2.pdf
Rev. 1: Attachment #31	Attachment 31 - SP0001-067 Amend 3 PR-1287.pdf
Rev. 1: Attachment #32	Attachment 32 - SP0001-067 Amend 3 PO.pdf
Rev. 1: Attachment #33	Attachment 33 - PPE Purchase Orders.pdf
Rev. 1: Attachment #34	Attachment 34 - 15168-OB WTO MC0052 Requisition Rev. 0.pdf
Rev. 1: Attachment #35	Attachment 35 - 15168-OB WTO MC0052.pdf
Rev. 1: Attachment #36	Attachment 36 - LCP02796 Requisition Rev. 1.pdf
Rev. 1: Attachment #37	Attachment 37 - LCP02796 CO#1.pdf
Rev. 1: Attachment #38	Attachment 38 - LCP02799 Requisition Rev. 1.pdf
Rev. 1: Attachment #39	Attachment 39 - LCP02799 PO CO#02.pdf
Rev. 1: Attachment #40	Attachment 40 - LCP02804 Requisition Rev. 0.pdf
Rev. 1: Attachment #41	Attachment 41 - LCP02804 PO.pdf
Rev. 1: Attachment #42	Attachment 42 - LCP02815 Requisition Rev. 0.pdf
Rev. 1: Attachment #43	Attachment 43 - LCP02815 PO.pdf
Rev. 1: Attachment #44	Attachment 44 - LCP2817 Requisiton Rev. 1.pdf
Rev. 1: Attachment #45	Attachment 45 - LCP2817 PO CO#1.pdf
Rev. 1: Attachment #46	Attachment 46 - LCP02831 Requisition Rev. 0.pdf
Rev. 1: Attachment #47	Attachment 47 - LCP02831 PO.pdf
Rev. 1: Attachment #48	Attachment 48 - LCP02837 Requisition Rev. 0.pdf
Rev. 1: Attachment #49	Attachment 49 - LCP02837 PO.pdf
Rev. 1: Attachment #50	Attachment 50 - LCP02838 Requisition Rev. 0.pdf
Rev. 1: Attachment #51	Attachment 51 - LCP02838 PO.pdf
Rev. 1: Attachment #52	Attachment 52 - LCP02839 Requisition Rev. 0.pdf
Rev. 1: Attachment #53	Attachment 53 - LCP02839 PO.pdf
Rev. 1: Attachment #54	Attachment 54 - LCP02847 Requistion Rev. 0.pdf
Rev. 1: Attachment #55	Attachment 55 - LCP02847.pdf
Rev. 1: Attachment #56	Attachment 56 - LCP02848 Requisition Rev. 0.pdf



Rev. 1: Attachment #57	Attachment 57 - LCP02848 PO.pdf
Rev. 1: Attachment #58	Attachment 58 - LCP02853 Requisition Rev. 0.pdf
Rev. 1: Attachment #59	Attachment 59 - LCP02853 PO.pdf
Rev. 1: Attachment #60	Attachment 60 - LCP02854 Requisition Rev. 0.pdf
Rev. 1: Attachment #61	Attachment 61 - LCP02854 PO.pdf
Rev. 1: Attachment #62	Attachment 62 - LCP02869 Requisition Rev. 0.pdf
Rev. 1: Attachment #63	Attachment 63 - LCP02869 PO.pdf
Rev. 1: Attachment #64	Attachment 64 - LCP02871 Requisition Rev. 0.pdf
Rev. 1: Attachment #65	Attachment 65 - LCP02871 PO.pdf
Rev. 1: Attachment #66	Attachment 66 - LC-PM-205 Requisition Rev. 1.pdf
Rev. 1: Attachment #67	Attachment 67 - LC-PM-205 Amendment #2.pdf
Rev. 1: Attachment #68	Attachment 68 - NGE009 WTO CF0031 Requisition Rev. 0.pdf
Rev. 1: Attachment #69	Attachment 69 - NGE009 WTO CF0031.pdf
Rev. 1: Attachment #70	Attachment 70 - Protest Cost at MF Oct 2016.pdf

#### **Process References**

#### **Additional Review**

Area Manager

Component Change Management Coord.

**Component Project Controls Lead** 

**Component Deputy Project Manager** 

Date

N/A 12-Ann-20

13 APL 2017

N/A



$\checkmark$	Originator	$\checkmark$	GENERATION - General Project Manager
	Package Leader/Engineer		GENERATION - Project Director
	Area Manager	$   \overline{Z} $	POWER DEVELOPMENT - Executive VP
Z	PM Muskrat Falls Generation		
V	PM HVdc Specialties		TRANSMISSION - Deputy Gen. Proj. Man.
$\checkmark$	PM HVac & HVdc		TRANSMISSION - General Project Manager
	PM Marine Crossing	Z	TRANSMISSION - Project Director
Z	Project Controls Manager		POWER SUPPLY - Executive VP
<b>V</b>	Supply Chain Manager		
1	HSS & ER Manager		Building the Prod. Org. (BTPO) Manager
<b>7</b>	Quality Manager		Ready for Integration (RFI) Manager
V	Environment & Reg. Comp. Manager		TRANSITION TO OPERATIONS (TTO) - VP
<b>V</b>	Commercial Manager		Other
	Completion Manager		
	Technical & Design Integrity Manager		Other
V	General Manager Finance - LCP		
			Other



<u>Decision</u>				
Approved	Rejected/Cancelled		Decision Date 28-May-20	17
Functional Management	<u>t</u>		Organizational Manageme	ent .
	13 Apr 267	V	11/200-1	n DAn
Scope / Project Manager	(Date)	NZ.	GENERATION - Gen. Project Manage	er (Date)
Janua Power	13-Agr-2017	7	& deuplin	78 May 201
Project Controls Manager	(Date)	N.	Generation Project Director	(Date)
Manny	17 An 2017	100	ULTSSA !	26 May 20
Supply Chain Manager	(Date)	K	OWER DEVELOPMENT - Executive	
HSS & ER Manager	(Date)			
		П		
Quality Manager	(Date)	_	TRANSMISSION - Dep. Gen. Proj. Ma	anage(Date)
Envirironment & Reg. Comp. Manage	er (Date)	ч	TRANSMISSION - Gen. Project	(Date)
			Manager	
Commercial Manager	(Date)	Z	TRANSMISSION - Project Director	(Date)
Commercial Manager	(Dute)		TRANSIVIISSION - Project Director	(Date)
Completion Manager	(Date)		POWER SUPPLY - Executive VP	(Date)
Completion Manager	(Dute)		POWER SUPPLY - Executive VP	(Date)
Technical & Design Integrity	(Date)			
Manager				
General Manager Finance - LCP	(Date)		Building the Prod. Org. (BTPO) Manager	(Date)
			Manager	
Other	(Date)	Ц	Ready for Integration (RFI)	(Date)
			Manager	
			-	Sugar-Sugar
Other	(Date)		Ready for Integration (RFI) Manager	(Date)
Other	(Date)			



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Section 7: Close-Out	
Implementation Status Complete:	
Signoff:	
Change Management Lead:	Date:
Scope/Project Manager:	Date: