

1 Q. The response to Undertaking No.7 filed on February 24, 2012 provided information
2 on work packages for the Muskrat Falls Project on the SNC Lavalin and Nalcor's
3 websites. On February 15, 2012 Jason Kean stated that the total value of tenders
4 already awarded and ready to be awarded was \$4.5 million. (Transcript, February
5 15, 2012, pgs. 94-95) Please explain how, or if, the information provided by Mr.
6 Kean is consistent with information provided in the response to Undertaking No. 7.
7 In the response explain the deviation of the \$4.5 million provided by Mr. Kean.

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10 A. The response provided by Mr. Kean on February 15 and Nalcor's response to
11 Undertaking U-7 are responses to different questions.

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13 Mr. Harrington was asked on February 14:

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15 I wonder if you could just describe some of the tenders that are
16 outstanding, whether this list is up to date, and to give us an
17 indication of the total value of the tenders that are ready to be
18 awarded?¹

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20 On the invitation of Mr. O'Reilly, the response to the undertaking was
21 provided by Mr. Kean on February 15:

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23 The total value is approximately \$4.5 million.²

¹ Transcript, February 14, 2012, page 61

² Transcript, February 15, 2012, page 95

1 Further clarification of the question was provided by Ms. Greene on
2 February 16:

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4 And at one stage I may have said, contracts ready to award, but the
5 intent of the question and what we would like Nalcor to provide is an
6 order of magnitude of the total value of all of the packages that are
7 listed on the website. So, Mr. Kean had replied that it was four and a
8 half million dollars, but I believe he interpreted that as ready, of
9 contracts to award.³

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11 With the clarification provided by Ms. Greene on February 16, Nalcor interpreted
12 “all tenders, contracts, work packages, as shown in the Nalcor website on a
13 particular date”⁴ broadly and provided a comprehensive summary of all packages
14 listed, whether the contracts were ready to award or not, in response to the
15 broadly rephrased question.

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17 Nalcor therefore interprets the two questions referenced in this RFI as two different
18 questions:

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- 20 1) The first question asks the value of construction contracts awarded or ready to
21 be awarded
22 2) The second question asks the value of all work packages listed on Nalcor’s web
23 site, with no qualification as to whether they are ready to be awarded.

³ Transcript, February 16, 2012, page 77

⁴ Transcript, February 23, 2012, page 68

1 The answer provided in Undertaking 7 is the response to the broadly phrased
2 question asked on February 16.

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4 \$2.4 million of the amount referenced in Mr. Kean’s specific answer is the amount
5 in paragraph 2 of the answer to Undertaking 7, and the remaining \$2.1 million was
6 associated with an RFP that had already been awarded for the supply of a power
7 transformer, but is not listed in Undertaking 7 as the RFP for the power transformer
8 was not posted to a web site.