

Undertaking 119

- a) Undertake to confirm that there was a certified cheques and/or irrevocable standard standby letter of credit equal to the full value of 10 percent or 9.9 Canadian dollars on April 21st.
- b) Undertake to provide email from purchasing group that confirmed that the surety was in place.

(a) Please refer to response to GT-DD-NLH-026. The tender security was provided in two parts summarized as follows:

- Certified Cheque: \$6,400,000 USD; and
- Wire Transfer: \$2,800,000 USD.

Total: \$9,200,000 USD (this totalled \$10,113,023.50 CAD, which is greater than the 10% requirement).

Each part of the security was received in accordance with IT 2.4 of the Tender documentation, which requires that Tender Security be received by Hydro not later than 4:00 p.m. on the second Business Day following Tender Closing.

(b) The below email confirmation (with individuals names removed) was sent to ProEnergy from Hydro Supply chain to confirm compliance with the tender security requirements of Contract 2014-57952.

From: xxxxxx/NLHydro
To: xxxxxx@energy-parts.com>
Cc: xxxxxx/NLHydro@NLHydro, xxxxxx/NLHydro@NLHydro
Date: 04/23/2014 02:26 PM
Subject: Re: Fw: Wire Confirmation

Hi xxxx: Pro Energy is in compliance in meeting the tender security -ten percent (10%) of total tendered price for Contract 2014-57952

Kindest Regards,



XXXXXXXX
xxxx
Supply Chain
Newfoundland and Labrador Hydro - a Nalcor Energy company
w. www.nlh.nl.ca