



# CONSOLIDATED COMMISSION ON UTILITIES

Guam Power Authority | Guam Waterworks Authority  
P.O. Box 2977 Hagåtña, Guam 96932 | (671) 648-3002 | guamccu.org

## GPA RESOLUTION NO. FY2024-17

### RELATIVE TO APPROVAL OF THE ENERGY CONVERSION AGREEMENT (ECA) AMENDMENT FOR THE UKUDU POWER PLANT

**WHEREAS**, on November 5, 2019 the Guam Power Authority (GPA) and Guam Ukudu Power (GUP) LLC signed the Energy Conversion Agreement (ECA) for the construction, operation and transfer of the 198 MW power plant located on GPA owned property in Ukudu, Dededo; and

**WHEREAS**, an update of the GWA Northern Waste Water Treatment Plant discharge permit in 2020, after the Ukudu ECA was signed, triggered a Change of Law event due to a requirement for the Ukudu Power Plant treat spent cooling water for phosphate removal in order for GWA to comply with their National Pollutant Discharge Elimination System (NPDES) permit; and

**WHEREAS**, under the ECA, GPA shall compensate GUP for the additional construction cost of \$2,732,123 and an estimated \$100,000 annually for fixed and variable O&M costs associated with the phosphate treatment system capital and operation expenses; and

**WHEREAS**, in 2021, CCU and PUC<sup>1</sup> approved the relocation of the Reserve Facility to Piti due to operation restrictions for a minor source air permit of the Ukudu Power Plant; and

**WHEREAS**, GUP lenders required legislative approval for exemption of the siting of the Reserve Facility within 1200 feet from school and such approval was required before the price validity of the diesel generators expired in March 2022; and

**WHEREAS**, PL 36-91 which addressed the siting of the Reserve Facility in Piti was eventually signed into law on April 11, 2022. The price quote of the diesel generators however

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<sup>1</sup> CCU Resolution No. 2021-02 was approved on January 25, 2021 and PUC Docket 21-07 was approved on 2/25/21 for the relocation of the Reserve Facility to Piti.

1 expired and new costs significantly increased from \$57M to \$97M which led GPA to seek  
2 approval<sup>2</sup> to cancel the Reserve Facility in early 2023; and

3       **WHEREAS**, in April 2023 GUP submitted a request for compensation for legal and other  
4 costs associated with the Reserve Facility prior to cancellation, claims associated with  
5 unanticipated construction and heavy haul permit conditions, totaling over \$21.8M (See Exhibit  
6 A); and

7       **WHEREAS**, GPA reviewed claims and verified \$6,559,205 for compensation through  
8 the ECA Fixed Capacity Charge adjustment subject to the CCU and PUC approvals (See Exhibit  
9 B); and

10       **WHEREAS**, in May 2023 Typhoon Mawar caused significant damages to the Ukudu  
11 Power Plant requiring demolition and rework to the water and fuel tanks as well as repair and  
12 replace other damages through the plant and plant site; and

13       **WHEREAS**, GUP and GPA have settled on a new Required Commercial Operating Date  
14 of September 30, 2025, through an amendment to the ECA and subject to the following  
15 conditions:

- 16       • GUP and GPA agree that GPA will pay GUP a \$4,000,000 acceleration cost payment  
17 if the Actual Commercial Operation Date (“COD”) is achieved on or before  
18 September 30, 2025 and an additional \$1,000,000 acceleration payment if COD is  
19 achieved on or before September 15, 2025.
- 20       • The Parties agree that if COD is not achieved on or prior to September 30, 2025, the  
21 acceleration cost payment of \$4,000,000 shall be cancelled and the full liquidated  
22 damages of \$240,000 per day shall apply from September 30, 2025, forward.
- 23       • The acceleration payments will be made through an FCC adjustment or Supplemental  
24 Charge as defined in the ECA; and  
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26       **WHEREAS**, the acceleration of the operation of the Ukudu Power Plant by four (4)  
27 months will not only provide the reliable power sooner but also provide a net fuel savings of  
28 approximately \$13.7M additional deduction of the \$5M (accelerated cost) due to the higher  
29 efficiency of this power plant; and  
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31  
32 <sup>2</sup> CCU Resolution No. FY2023-07 was approved on January 24, 2023 and PUC  
Docket 23-07 was approved on 2/23/23 for the approval to cancel the Reserve  
Facility.

1           **WHEREAS**, to further support the acceleration GUP and GPA have agreed that GPA will  
2 provide the ECA defined First Fill in lieu of GUP's contract requirement with a seven-year  
3 payback period and with no accumulated interest. The amount to be repaid by GUP will be equal  
4 to the cost of First Fill actually incurred by GPA; and

5           **WHEREAS**, GUP requested an additional claim for a backup water supply pipeline  
6 totaling \$1,807,503 to cover additional pipeline costs which will be compensated through an  
7 adjustment in the Fixed Capacity Charge.

8  
9           **NOW, THEREFORE, BE IT RESOLVED**, by the **Consolidated Commission on**  
10 **Utilities, the governing body of the Guam Power Authority and subject to the review and**  
11 **approval of the Public Utilities Commission as follows:**

12           **1.**     The GPA General Manager is authorized to amend the ECA to adjust the Fixed  
13 Capacity Charge and Fixed and Variable O&M Charge to compensate GUP for verified claims  
14 for the additional scope and unanticipated permit conditions as well as to pay for services to  
15 accelerate the operation of the Ukudu Power Plant.

16  
17           **RESOLVED**, that the Chairman of the Commission certifies and the Secretary of the  
18 Commission attests to the adoption of this Resolution.

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21           **DULY AND REGULARLY ADOPTED**, this day of 26<sup>st</sup> of March, 2024.

22  
23           Certified by:

23           Attested by:

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27           **JOSEPH T. DUENAS**  
28           Chairperson

27           **PEDRO ROY MARTINEZ**  
28           Secretary

29  
30           I, **Pedro Roy Martinez**, Secretary of the Consolidated Commission on Utilities (CCU)  
31 as evidenced by my signature above do hereby certify as follows:  
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The foregoing is a full, true and accurate copy of the resolution duly adopted at a regular meeting by the members of the Guam Consolidated Commission on Utilities, duly and legally held at a place properly noticed and advertised at which meeting a quorum was present and the members who were present voted as follows:

AYES: 5  
NAYS: 0  
ABSTAIN: 0  
ABSENT: 0



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Date: April 7, 2023

Mr. John M. Benavente, P.E

General Manager  
Guam Power Authority  
Gloria B. Nelson Public Service Bldg.,  
688 Route 15, Mangilao, Guam 96913

**Subject: Request for Cost Compensation and Scheduling Accommodation**

Dear Mr. John M. Benavente, P.E.

On behalf of Guam Ukudu Power (“GUP”), I would like to express our sincere gratitude to you and your team at GPA for always helping us find solutions to the many challenges we have faced thus far in constructing the 198MW Ukudu Power Plant. Through the cooperative and solution-oriented approach of both GUP and GPA, we have made steady progress and have kept this project moving forward in the midst of unprecedented obstacles.

Two very significant obstacles have been the major cost increases and scheduling delays caused by global inflation and rising raw material prices related to the COVID-19 pandemic and the war in Ukraine. In addition, as you well know, we have also faced significant delays and unexpected conditions during the permitting process as well as repeated interruptions of our pipeline excavation work caused by the Navy’s fuel transport and lack of an assigned archeologist.

We know that the timing of this project is critically important so we have gone to great lengths and incurred significant additional costs in order to minimize the impact of these challenges and setbacks on our construction schedule. Our mitigation efforts have been remarkably effective. We also continue to work closely with our EPC contractor to find ways to reduce our financial losses.

We are now reaching out to you in good faith to request a reasonable cost adjustment in accordance with the terms and conditions of the ECA and related agreements. Even though the ECA allows us to seek to recovery from GPA of all of our added costs attributable to permitting delays and other governmental actions, in the spirit of continued cooperation and compromise, we are limiting our request to only the specific areas described below. Our goal in requesting this limited compensation is to avoid further delays and to maintain the highest standard of construction quality for an efficient and reliable electric grid for Guam.

**Background: The Impact of the Delayed Financial Closing**

The closing of GUP's financing for this project was originally scheduled for August 2020 (9 months from execution of the ECA), but was delayed due a series of intervening events and unforeseen circumstances. In order to close its loan, GUP had to satisfy its lender's financial closing conditions, including, but not limited to, having all construction related permits in place and having an executed and enforceable lease in effect for the project sites. GUP could not have foreseen that it would take more than 15 months for GUP to obtain its air permit from Guam EPA.

Additionally, GUP could not have foreseen that it would take more than 7 months for GUP's land lease for its project site to receive all required governmental approvals or that adding the Reserve Facility to its land lease would result in months of additional discussion and revisions to the lease. As I am sure you recall, before the lease could be submitted for legislative approval, we had to address numerous requested changes, some of which related to the Reserve Facility's intended location within a School Buffer Zone.

The process of overcoming these unanticipated obstacles delayed the closing of GUP's financing by more than 2 full years. During that 2 year delay, the COVID-19 pandemic worsened and the Ukraine War broke out which triggered global inflation and a supply and labor shortage which in turn interfered with procurement and shipping and drove up labor costs. As an illustration of this, consider that when the ECA was signed in November 2019, the US Producer Price Index (PPI) was at 118.5. By January of 2023, the US PPI was at 141.28, a 19.2% increase.<sup>1</sup> Our EPC contractor estimates that the global inflation and increase in raw material costs during the 2 years the financial closing was delayed caused the EPC contractor to suffer approximately \$20 million in losses on this project.

At the same time, the Interest Rate on GUP's financing for this project also rose dramatically during the 2 year delay. GUP's interest rate for its project funding is based on the Secured Overnight Financing Rate (SOFR) 3 month interest rate. As of the project bid date of May 2019, the SOFR 3 month interest rate was 2.43%. But more recently, as of March 2023, the SOFR 3 month interest rate has more than doubled to 5.12%, an increase of 2.69%p. The total amount financed for this project is \$566 million, which means GUP is facing a \$15.2 million yearly loss due to the increased interest rate attributable to the 2 year delay. Over the next 5 years, assuming the interest rate stays as it is now, GUP's total losses from the increased interest will be \$76 million.

As you know, to this day this high interest rate is still in the 5.12% range and it is generally expected to remain at that level at least for the next several years. These circumstances fall within the definition of Force Majeure in Article 16 of the ECA. The Ukraine War is a "war" under ECA § 16.1(c) and the

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<sup>1</sup> Source: US Producer Price Index (www.ycharts.com)

COVID-19 pandemic is a “natural calamity” under ECA § 16.1(a). They could not have been avoided even with the exercise of reasonable care or the expenditure of reasonable sums of money, referred to in Article 16 as “Mitigating Costs.”

We present this background to provide context to GUP’s request. GUP and its EPC contractor are now facing severe losses in the amount of \$76 million and \$20 million respectively. Moreover, additional cost impacts from the unforeseen events described below require some minimal financial compensation from GPA in accordance with the terms and conditions of the ECA. The compensation we are requesting below is modest when compared to GUP’s overall losses.

### 1. Compensation for Reserve Facility Preparatory Work

The first item of compensation we are requesting relates to the cancellation of the Reserve Facility. As you know, GPA on December 7, 2022 provided us with written notice cancelling the Reserve Facility from the project scope. The terms of the cancellation included a provision requiring compensation to GUP for any costs and liabilities it incurred in preparing to construct the Reserve Facility. The compensation provision is contained in a letter agreement between GUP and GPA dated January 31, 2023, which provides as follows:

*If Project Company incurs any cost or liability in respect of the issuance of a purchase order for any part of the Reserve Facility or any preparatory works in respect of the Reserve Facility, whether as a result of making a drawing under the Equity Bridge Facility or otherwise, and the procurement and construction of the Reserve Facility is subsequently cancelled, the Parties agree that the relevant FCC Reduction shall be accordingly reduced to compensate Project Company for such cost or liability. Project Company shall provide a copy of invoices and supporting documentation for all such cost and liability claims to be reviewed and approved by GPA, such approval not to be unreasonably withheld. (January 31, 2023 letter agreement, ¶7).*

GUP incurred the following costs as part of its preparatory work relating to the Reserve Facility:

a. Legal Fees Relating to the Reserve Facility: (calculated based on 10% of the total project legal fees)	\$0.96M
b. Environmental Advisory Fees Relating to the Reserve Facility: - B&V	\$0.44M
c. Land Surveyor and Title Insurance Fees Related to the Reserve Facility:	\$1.12M
<b>Total Costs of Reserve Facility Preparatory Work</b>	<b>\$2.52M</b>

Pursuant to the January 31, 2023 letter agreement, GUP requests additional costs of \$2.52M as compensation to GUP for our preparatory costs and liabilities relating to the Reserve Facility. Invoices and other documentation supporting each of the above cost items are attached. (See Attachments #1-a, 1-b, and 1-c).

## **2. Compensation for Cost of Compliance with Unanticipated Permitting Conditions**

GUP also requests compensation for unusual and unanticipated costs we were forced to incur in order to obtain some of our construction related permits. The basis for this request is Section 16.9(a) of the ECA which provides:

*In the event of a Change In Law which is of the type described in the Change in Law which is of the type described in the Change in Law definition and has an impact on the Project that is equal to or greater than five hundred thousand Dollars (\$500,000) for a Contract Year, GPA shall pay to Project Company (without double recovery) a Supplemental Charge under this Agreement in such amount as is necessary to compensate Project Company for, and make Project Company whole with respect to any such additional cost and/or adverse effect on the expected financial benefit suffered as a result of such Change in Law. (ECA, p.70, § 16.9(a)).*

The definition of Change in Law includes the following:

*any change in the manner in which a Law of Guam or the United States that affects the Project or Project Company is applied or interpreted; (ECA, p.3, “Change in Law” definition, subsection (b))*

*the imposition by a Government Authority (other than for Cause) of any material condition or delay in connection with the issuance, renewal, or modification of any Governmental Authorization; (ECA, p.3, “Change in Law” definition, subsection (c)).*

GUP and its contractors were forced to incur substantial added costs in order to satisfy several conditions imposed by the Guam Environmental Protection Agency (“Guam EPA”), and Guam Water Works (“GWA”), which were in addition to the requirements imposed by the applicable permitting laws and regulations. In imposing these extra requirements upon GUP, these agencies implemented a “*change in the manner in which a Law of Guam . . . is applied and interpreted; . . .*” The agency actions in these instances constitute “*the imposition by a Government Authority (other than for Cause) of any material condition or delay in connection with the issuance, renewal, or modification of any Governmental Authorization.*”



The actions of these agencies may be attributable to the unusual amount of public scrutiny this project has generated and the lack of any prior experience by these agencies with projects of this nature and scale. Nevertheless, the extra conditions they imposed on GUP with respect to each of the below listed items constitute a Change in Law under the ECA.

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|--|---------|
| a. Continuous Emission Monitoring System (“CEMS”) by GEPA                  | \$1.09M |
| b. Dedicated fire-fighting water storage tank by GWA                       | \$1.72M |
| c. Implementation of Impervious Pavement inside the power plant<br>by GEPA | \$1.05M |

Total Added Costs for Compliance with Added Permitting Conditions:	<b>\$3.86M</b>
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GUP therefore requests \$3.86M as compensation for the resulting added costs noted above. A cost breakdown supporting each of the above cost items is attached. (See Attachments #2-a, 2-b, and 2-c).

### **3. Compensation for Cost and Scheduling Impact from the Delayed Transportation Permit**

The next category of requested compensation relates to the substantial additional costs GUP was forced to incur due to DPW’s extremely long delay in issuing the heavy equipment transport permit required for the EPC contractor to transport of the power plant equipment from Guam’s Port to the project site. The EPC contractor believes that they applied for the transportation permit well in advance of the scheduled transport dates. Based on the usual government of Guam processing time, GUP expected that the permit would be issued not later than September of 2022. However, DPW held off issuance of the permit well beyond that date.

The delayed issuance of the permit was caused by DPW’s lack of clarity regarding the type and amount of insurance that the EPC contractor would be required to provide to cover potential bridge damage notwithstanding the substantial site investigation work such as destructive, none-destructive, scanning and loading tests that proved the bridge along the transport route can support heavy transportation vehicles and equipment. DPW initially indicated that bonding/insurance would be waived for this permit. Months later, DPW indicated that a \$75 million insurance policy covering potential damage to the roadways and bridges would be required. The discussion of this insurance condition continued off and on between DPW, GUP and the EPC contractor for several weeks and included multiple in-person meetings. After months of back and forth on the insurance issue, a compromise was eventually reached. DPW accepted \$25 million in coverage and issued the transportation permit in February of 2023.

The long delay in issuance of the permit meant that the process of transporting the heavy plant equipment to the project site, a process that must be done slowly and gradually and only at specifically scheduled times so as not to disrupt traffic on Guam's roadways, would not even begin until 5 months after the planned transportation start date.

During this 5 month waiting period, GUP and our EPC contractor incurred substantial added labor costs to keep workers available while waiting for the permit to issue. GUP and our EPC contractor also incurred substantial equipment stand-by costs, and additional survey and insurance costs. GUP and our EPC contractor did everything possible to reallocate resources and workers to try to reduce the impact of this major delay on the overall construction schedule. If GPA provides the requested financial support, the EPC contractor is confident that the overall scheduling impact of the 5 month delay can be reduced by 3 months down to a 2 month overall delay. With GPA financial support, a 2 month delay in project completion (and a corresponding 2 month extension of the Required Commercial Operation Date under the ECA) is unavoidable due to the delayed issuance of the permit.

Under these circumstances, the 2 month delay in completion is "Force Majeure" event under the ECA which includes within the definition of that term "any Change in Law" such as a delay in the issuance of a Governmental Authorization. (ECA, p.66, § 16.1(e) and p.3, "Change in Law" definition subsection (c)). Pursuant to Section 16.8 of the ECA, GUP is entitled to an extension of any dates affected by an Force Majeure event, including an extension of the Required Commercial Operation Date.

Section 16.8 of the ECA provides as follows:

*Except as otherwise set forth below, neither Party shall be responsible or liable for or deemed in breach hereof because of any failure or delay in complying with its obligations (other than an obligation to make a payment) under or pursuant to this Agreement due to one or more events of Force Majeure . . . or their effects or by any combination thereof, and the periods allowed or dates required (including the Required Commercial Operation Dates) for the performance by Parties of such obligation(s) shall be extended on a day-for-day basis to account for such event(s), effects or combination thereof; . . . (ECA,p.70, §16.8)*

Based on § 16.8 of the ECA, GUP is actually entitled to a 5 month extension of the Required Commercial Operation Date. But, again in the spirit of continued cooperation and compromise, and assuming GPA provides the financial support needed for the EPC contractor to catch-up 3 months of the total delay, GUP is requesting that the Required Commercial Operation Date be extended by only 2 months.

Also, similar to the permitting conditions described in Item 2 above, the inexplicable delay by DPW in issuing the heavy equipment transport permit falls squarely within the definition of Change in Law under the ECA. In particular, DPW imposed upon GUP a "material condition or delay in connection with the

*issuance, renewal, or modification of any Governmental Authorization.*” (ECA, p.3, “Change in Law” definition, subsection (c)).

GUP’s added costs resulting from the delayed issuance of the heavy equipment transport permit are as follows:

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|--|---------|
| a. Stand-by costs:   | \$3.29M |
| b. Costs of accelerated work to catch-up the schedule:   | \$3.51M |
| c. Additional miscellaneous cost (including insurance costs)<br>to obtain transportation permit: | \$2.66M |

Total Costs for Compliance with Added Permitting Conditions:	<b>\$9.46M</b>
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GUP is therefore requesting \$9.46M as compensation for the resulting added costs noted above. Attached are supporting documents relating to each of the above cost items. (See Attachment #3).

GUP is also requesting GPA’s concurrence that DPW’s delay in issuing the transportation permit and the resulting 2 month delay in the overall construction schedule is an event of Force Majeure under the ECA and that GUP is therefore entitled to a 2 month extension of the Required Commercial Operation Date. GUP will keep the baseline Commercial Operation Date of October 2024 as-is and we will work with the EPC contractor to try to further reduce the 2 month delayed Required Commercial Operation Date.

**4. Compensation for Cost and Scheduling Impact from the Pipeline Construction Delay**

The delay in the construction of the fuel pipeline is another construction delay caused by a Change in Law under the ECA. Constructing a fuel pipeline involves substantial excavation work which requires an excavation permit issued by DPW with oversight and approval from the State Historic Preservation Office (“SHPO”). That type of permit requires that an archeologist be on site to monitor the excavation work so appropriate action may be taken if historic or cultural artifacts are uncovered during the excavation. In addition, because significant military action took place on Guam during World War II, excavation work on Guam sometimes leads to discovery of unexploded ordinances (UXO’s). If a UXO is discovered during excavation, it must be carefully removed and a UXO specialist must be available to monitor the work and ensure the safety of the workers.

The construction of the fuel pipeline for this project was planned to be done over a 16 month period beginning in June 2022 and concluding in October 2023. However, construction was repeatedly halted by the government. The site of the excavation work was in close proximity to the U.S. Navy's fuel lines used to pump jet fuel to locations on the Base. The Navy would not permit the EPC contractor to do any pipeline excavation work on days when the Navy was pumping jet fuel through its fuel lines. Between June 2022 and February 2023, the pipeline excavation work was halted by the Navy a total of 51 days.

The pipeline excavation work was also halted on days when GPA was unable to provide an archeologist to oversee the excavation work as required by SHPO. As of February 2023, lack of an available archeologist halted the pipeline excavation work by a total of 21 days.

Excavation work was also stopped when a UXO was discovered in September 2022. The UXO was removed by a bomb removal team from the U.S. Military but the work could not resume until a UXO specialist could be brought in to monitor the excavation and watch out for additional UXO's. The safety of all members of the construction team is a top priority for GUP and the EPC contractor. The lack of an available UXO specialist halted work for a full month. Although on some days during that month the Navy fuel transfer operation would have also prevented pipeline excavation, a total of 17 days of work stoppage was caused solely by having to wait for the UXO specialist to be sent to the job site.

The 89 day delay, as of February 2023, of the pipeline construction by government agencies is clearly a Change in Law under the ECA provisions quoted in Items 2 and 3 above. GUP's added costs caused by the delayed pipeline construction are:

a. Stand-by cost:	\$0.15M
b. Recovery cost to catch-up the schedule:	\$5.78M
<b>Total added costs for the Delayed Pipeline Construction</b>	<b>\$5.92M</b>

GUP is therefore requesting \$5.92M as compensation for the resulting added costs noted above. Attached are supporting documents relating to each of the above cost items. (See Attachment #4). Please note that the continued interruption by the Navy's fuel pumping, UXO findings, or the lack of an available archaeologist may cause further delay of the pipeline work where added expenses will be unavoidable.

## 5. First Fill Cost Accommodation

Finally, in addition to our requests for compensation for the specific items noted above, GUP also asks for GPA's help to defray the substantial increase in the cost of the "First Fill" (as defined in § 3.3.2(a) of the ECA). Pursuant to § 3.3.2(a), GPA is required to supply the fuel necessary for start-up, testing, and commissioning up to a maximum of 1,245,000 MMBtu. GUP is required to supply all needed fuel for start-up, testing and commissioning in excess of the GPA supplied fuel and GUP is further required to cover the cost of the First Fill of the new power plant's fuel storage facility.

As you know, the price of oil has skyrocketed since the time GUP and GPA entered into the ECA back in 2019. At the time this project was put out for bid, GPA's forecast in the IFMSB of what the unit ULSD price would be in 2021 was 18.43USD/MMBtu. This forecasted price was included in GUP's financial model for our bid. GUP could not have foreseen that the price of oil would increase so dramatically or that the actual cost of the ULSD that GPA purchased in Oct 2022 would be 23.97USD/MMBtu, 30% higher than our budgeted cost.

We now expect that our losses attributed to the unnaturally high price of oil will be approximately \$5.2 million. We understand that the IFMSB information was just a forecast which cannot serve as a basis for a price determination alone. However, we acted in good faith and at that time sincerely believed it to be a reasonable cost projection. The COVID-19 pandemic and Ukraine War could not have been predicted and they clearly constitute Force Majeure events under Article 16 of the ECA. The increase in our budgeted costs resulting from these Force Majeure events goes far beyond the Mitigating Costs contemplated under Article 16.

Here, again, we appeal to GPA's sense of equity and fairness and request your consideration of the following proposed modification of § 3.3.2(a)'s requirements:

- a. If GUP is able to shorten the time needed for start-up, testing and commission, and increase the fuel efficiency of the Power Plant so that less than the maximum 1,245,000 MMBtu of GPA's fuel is used for start-up, testing and commissioning fuel, GUP may use GPA's unused fuel (up to the 1,245,000 MMBtu maximum) for the First Fill, and
- b. GUP's obligation under ECA § 3.3.2(a) to fill the ULSD Storage Facility shall be revised so that GUP will initially only be required to do a partial fill up to GUP's budgeted amount of \$17.5 million in ULSD with the First Fill to be completed after the Commercial Operation Date. GUP may use any fuel savings accruing to GPA after the Commercial Operation Date to complete the First Fill.

We greatly appreciate GPA's support throughout this project and respectfully request your help with the cost of the First Fill as described above.



**Summary:**

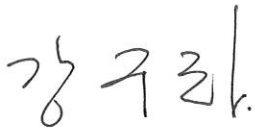
GUP is excited that this project is finally moving forward at full speed. Although GUP and its contractors have tried to absorb the major losses we have sustained over the last few years resulting from world events without requesting any cost or compensation adjustment, it has become necessary to request compensation for specific items of added costs, but only where a clear basis exists for such compensation under the ECA. We therefore request the following:

1. **A 3.579% adjustment in the FCC** (equivalent to the total impact of \$21.76M) for the reason set for the in Items 1, 2, 3 and 4 above.
2. **A 2 month extension of the Required Commercial Operation Date** for the reasons set forth in Item 3 above.
3. **Use of GPA's excess fuel and future fuel savings for the First Fill** for the reasons set forth in Item 5 above.

We hope GPA understands not only the reasonableness but also the urgency of these requests. The EPC contractor cannot catch-up the long scheduling delays without GPA's financial support. If that is not provided soon, the result will be further delays in the construction schedule, and even larger requests for compensation under the ECA's Change in Law provisions.

GUP makes these requests in recognition of the strong support GUP and GPA have provided to each other throughout this project and the many obstacles we have already overcome together. We are truly honored to be establishing this partnership with GPA and we look forward to serving the people of Guam together for many years to come.

Sincerely yours,



**Guhwa Kang**  
Chief Executive Officer  
Guam Ukudu Power LLC

Attachment: One set of supporting documents

## Attachment #1-a. Legal Advisory Fee list

Company	Date	Invoice No.	Amount [USD]
King & Spalding	29-Jan-19	10234742	76,185.50
King & Spalding	29-Jan-19	10235129	69,820.50
King & Spalding	04-May-19	10254595	83,374.00
King & Spalding	20-May-19	10265200	45,932.00
King & Spalding	20-May-19	10265201	5,512.50
King & Spalding	24-Mar-20	10306633	303,847.80
King & Spalding	24-Mar-20	10313895	147,517.50
King & Spalding	08-Jun-20	10341528	20,850.47
King & Spalding	29-Sep-20	10366769	35,104.00
King & Spalding	17-Jun-21	10433449	174,652.50
King & Spalding	13-Oct-21	10445671	106,235.00
King & Spalding	19-Nov-21	10480843	148,112.50
King & Spalding	20-Dec-21	10489960	42,539.00
King & Spalding	31-Jan-22	10499477	204,720.50
King & Spalding	31-Jan-22	10499478	170,158.00
King & Spalding	01-Jun-22	10526006	817,442.00
King & Spalding	12-Jul-22	10578461	537,716.00
King & Spalding	12-Aug-22	10546441	677,026.05
White & Case	07-Oct-19	1100-19-05933	19,864.00
White & Case	08-May-20	1100-20-02723	8,442.76
White & Case	06-Oct-20	1100-20-06192	20,130.82
White & Case	07-Dec-20	1100-20-07907	5,232.50
White & Case	07-Apr-21	1100-21-01845	6,006.50
White & Case	10-May-21	1100-21-02565	30,981.50
White & Case	12-Jul-21	1100-21-03983	6,167.30
White & Case	16-Aug-21	1100-21-04685	15,177.20
White & Case	20-Sep-21	1100-21-05542	114,430.90
White & Case	13-Oct-21	1100-21-06035	77,242.12
White & Case	08-Nov-21	1100-21-06705	182,557.52
White & Case	03-Dec-21	1100-21-07542	377,736.30
White & Case	08-Dec-21	1100-21-07820	55,461.00
White & Case	25-Jan-22	1100-22-00448	405,235.34
White & Case	09-Feb-22	1100-22-00671	339,837.18
White & Case	10-Mar-22	1100-22-01290	562,638.64
White & Case	30-Mar-22	F-2022-03-0449	128,425.00
White & Case	12-Apr-22	1100-22-01950	93,018.86
White & Case	12-May-22	1100-22-02574	159,239.50
White & Case	09-Jun-22	1100-22-03225	244,161.00
White & Case	11-Jul-22	1100-22-03974	261,521.50
White & Case	17-Aug-22	1100-22-04884	149,703.59
White & Case	13-Sep-22	1100-22-05300	256,130.36
White & Case	10-Oct-22	1100-22-06070	448,672.00
White & Case	24-Oct-22	1100-22-06601	126,897.73
White & Case	04-Nov-22	1100-22-06933	17,116.00
White & Case	06-Dec-22	1100-22-07818	75,054.61
White & Case	13-Jan-23	1100-23-00201	80,016.22
White & Case	23-Feb-23	6550-23-00023	106,226.95
Calvo Fisher & Jacobs	30-Dec-18	77347	20,748.95
Calvo Fisher & Jacobs	28-Feb-19	77436	20,771.25
Calvo Fisher & Jacobs	31-Mar-19	77619	32,639.25
Calvo Fisher & Jacobs	30-Apr-19	77620	3,819.90
Calvo Fisher & Jacobs	19-Nov-19	78444	3,920.50
Calvo Fisher & Jacobs	31-May-19	77686	462.00
Calvo Fisher & Jacobs	30-Jun-19	77930	183.75
Calvo Fisher & Jacobs	31-Jul-19	77931	8,604.75

Attachment #1-a. Legal Advisory Fee list

Company	Date	Invoice No.	Amount [USD]
Calvo Fisher & Jacobs	31-Aug-19	77968	3,297.00
Calvo Fisher & Jacobs	31-Aug-19	77932	7,209.30
Calvo Fisher & Jacobs	31-Oct-19	78092	30,869.35
Calvo Fisher & Jacobs	19-Nov-19	78444	3,920.50
Calvo Fisher & Jacobs	31-Dec-19	78445	9,970.80
Calvo Fisher & Jacobs	31-Jan-20	78399	8,336.60
Calvo Fisher & Jacobs	30-Jun-20	78927	135.25
Calvo Fisher & Jacobs	30-Sep-20	80724	22,500.00
Calvo Fisher & Jacobs	15-Dec-21	79904	23,549.75
Calvo Fisher & Jacobs	31-Dec-21	79959	660.20
Calvo Fisher & Jacobs	31-Jan-21	79269	18,821.25
Calvo Fisher & Jacobs	28-Feb-21	79327	4,526.15
Calvo Fisher & Jacobs	31-Mar-21	79340	11,734.38
Calvo Fisher & Jacobs	30-Apr-21	79439	361.55
Calvo Fisher & Jacobs	30-Aug-21	79685	8,025.60
Calvo Fisher & Jacobs	15-Nov-21	79851	13,671.33
Calvo Fisher & Jacobs	30-Nov-21	79854	33,689.25
Calvo Fisher & Jacobs	17-Dec-21	79968	53,374.58
Calvo Fisher & Jacobs	31-Dec-21	79969	33,846.75
Calvo Fisher & Jacobs	15-Jan-22	80011	58,435.55
Calvo Fisher & Jacobs	31-Jan-22	80012	38,118.52
Calvo Fisher & Jacobs	15-Feb-22	80057	47,679.25
Calvo Fisher & Jacobs	28-Feb-22	80058	84,626.87
Calvo Fisher & Jacobs	15-Mar-22	80094	31,597.98
Calvo Fisher & Jacobs	31-Mar-22	80095	35,058.63
Calvo Fisher & Jacobs	30-Apr-22	80124	77,254.67
Calvo Fisher & Jacobs	31-May-22	80206	151,579.45
Calvo Fisher & Jacobs	30-Jun-22	80215	60,334.85
Calvo Fisher & Jacobs	31-Jul-22	80251	67,911.18
Calvo Fisher & Jacobs	31-Aug-22	80713	69,348.53
Calvo Fisher & Jacobs	30-Sep-22	80729	153,091.51
Calvo Fisher & Jacobs	31-Oct-22	80834	37,420.23
Calvo Fisher & Jacobs	30-Nov-22	80843	16,503.13
Calvo Fisher & Jacobs	31-Dec-22	80918	54,651.98
Calvo Fisher & Jacobs	31-Jan-23	80947	76,065.21
Calvo Fisher & Jacobs	28-Feb-23	80983	70,414.25
Hwawoo	05-Mar-19	KR5931-1903-004	12,644.89
Hwawoo	04-Apr-19	KR5931-1904-005	88,380.00
Hwawoo	23-May-19	KR5931-1905-011	12,295.80
Hwawoo	25-Mar-20	KR5931-1912-023	46,967.87
<b>Total</b>			<b>9,557,009.50</b>
<b>10% of Total</b>			<b>955,700.95</b>

\* 10% of total cost is allocated to Reserve Facility cost



**Attachment #1-b**

**Technical Service Agreement with B&V (a portion of Main Facility included)**

Task	Description	Contract Price	Invoice #1	Invoice #2	Invoice #3	Invoice #4	Invoice #5 & 6	Invoice #7	Invoice #8	Invoice #9&10	Total Payment	Note
Task 1	Baseline Studies	61,046	12,209.00	48,837.00							61,046.00	RF : 100%
Task 1b, 1c	Wetland Delineation and Mapping	10,500										
Task 1d	Noise and Vibration Background Study	12,318										
Task 2	Full EIA (Short form EIA as option) / Supplementary EIA	97,171	12,405.00	31,012.00	9,303.60			44,450.40			97,171.00	RF : 100%
Task 2c	EIA Public Meeting Support	9,853										
Task 3 to 3d	Air Permit, Air Modeling and Iteration, Public Meeting Support	111,310	17,384.00					28,072.00			45,456.00	RF : 100%
Task 4 to 4b	Height Zone Variance, Public Meeting Support	54,017										
Task 5	Phase I ESA	16,717			3,343.40		13,373.60				16,717.00	RF : 100%
Task 6	Engineering and Post-Filing Support	67,608										
Task 7	Ukudu CCCT Project Support	225,035			5,578.00	29,667.00	48,658.19	139,727.45			223,630.64	RF : On call basis
Task 8	Environmental and Social Action Plan (New)	215,000			43,000.00	129,000.00	21,500.00	10,750.00			204,250.00	RF : 30%
Task 9	CCPP Remodeling	15,829							15,829.00		15,829.00	RF : 0%
Task 10	Pre-Submittal Support	87,584							87,584.00		87,584.00	RF : 30%
Task 11	Post-Submittal Support	200,000								120,277.96	120,277.96	RF : 30%
Task 12	DG Air Dispersion Modeling and Protocol Document	83,208									0.00	
<b>Total</b>		<b>1,267,196</b>	<b>41,998.00</b>	<b>79,849.00</b>	<b>61,225.00</b>	<b>158,667.00</b>	<b>83,531.79</b>	<b>222,999.85</b>	<b>103,413.00</b>	<b>120,277.96</b>	<b>871,961.60</b>	

**Technical Service Agreement with B&V (Reserve Facility portion only)**

Task	Description	Contract Price	Invoice #1	Invoice #2	Invoice #3	Invoice #4	Invoice #5 & 6	Invoice #7	Invoice #8	Invoice #9	Total Payment	Note
Task 1	Baseline Studies	61,046	12,209.00	48,837.00							61,046.00	RF : 100%
Task 1b, 1c	Wetland Delineation and Mapping	10,500										
Task 1d	Noise and Vibration Background Study	12,318										
Task 2	Full EIA (Short form EIA as option) / Supplementary EIA	97,171	12,405.00	31,012.00	9,303.60			44,450.40			97,171.00	RF : 100%
Task 2c	EIA Public Meeting Support	9,853										
Task 3 to 3d	Air Permit, Air Modeling and Iteration, Public Meeting Support	111,310	17,384.00					28,072.00			45,456.00	RF : 100%
Task 4 to 4b	Height Zone Variance, Public Meeting Support	54,017										
Task 5	Phase I ESA	16,717			3,343.40		13,373.60				16,717.00	RF : 100%
Task 6	Engineering and Post-Filing Support	67,608										
Task 7	Ukudu CCCT Project Support	225,035			5,578.00	6,016.00	6,600.00	75,102.25			93,296.25	RF : On call basis
Task 8	Environmental and Social Action Plan (New)	215,000			12,900.00	38,700.00	6,450.00	3,225.00			61,275.00	RF : 30%
Task 9	CCPP Remodeling	15,829							0.00		0.00	RF : 0%
Task 10	Pre-Submittal Support	87,584							26,275.20		26,275.20	RF : 30%
Task 11	Post-Submittal Support	200,000								43,236.50	43,236.50	RF : 30%
Task 12	DG Air Dispersion Modeling and Protocol Document	83,208									0.00	
<b>Total</b>		<b>1,267,196</b>	<b>41,998.00</b>	<b>79,849.00</b>	<b>31,125.00</b>	<b>44,716.00</b>	<b>26,423.60</b>	<b>150,849.65</b>	<b>26,275.20</b>	<b>43,236.50</b>	<b>444,472.95</b>	

\* Task 1, 2, 3, 5 : 100% for Reserve Facility

\* Task 7 : Actual hours for the Reserve Facility is calculated

\* Task 8, 10, 11 : 30% of total amount is applied for the Reserve Facility



# INVOICE

PLEASE REMIT TO:  
 BLACK & VEATCH INTERNATIONAL  
 P.O. BOX 803823  
 KANSAS CITY MO 64180-3823  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKUS44  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT TIMPE, DOUGLAS C  
 TELEPHONE +19134586437  
 INVOICE NO 215931  
 INVOICE DATE 12-May-2021  
 BILLED THRU 7-May-2021  
 PAYMENT DUE 11-Jun-2021  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 41,998.00

DESCRIPTION	LABOR	EXPENSE	TOTAL
TASK 1 SUBTASK 1A. BASELINE STUDIES 20% OF \$61,046			12,209.00
TASK 2 SUBTASK 2B. SHORT FORM EIA 20% OF \$62,024			12,405.00
TASK 3 OPTIONAL SUBTASK 3B. AIR DISPERSION MODELING, FIRST ITERATION 20% OF \$35,09C			7,018.00
TASK 3 SUBTASK 3A. AIR POLLUTION CONTROL PERMIT AND APPROVAL 20% OF \$51,831			10,366.00
<b>SUBTOTAL</b>			<b>41,998.00</b>
<b>TOTAL</b>			<b>41,998.00</b>

TOTAL DUE (USD)	41,998.00
CONTRACT MAXIMUM	315,000.00
BALANCE REMAINING	273,002.00

Reserve Facility Portion is marked in Red



# INVOICE

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 BLACK & VEATCH INTERNATIONAL  
 P.O. BOX 803823  
 KANSAS CITY MO 64180-3823  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKCUS44  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT TIMPE, DOUGLAS C  
 TELEPHONE +19134586437  
 INVOICE NO 216063  
 INVOICE DATE 8-Jul-2021  
 BILLED THRU 2-Jul-2021  
 PAYMENT DUE 7-Aug-2021  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 79,849.00

DESCRIPTION	LABOR	EXPENSE	TOTAL
TASK 1 SUBTASK 1A. BASELINE STUDIES 80% OF \$61,046			48,837.00
TASK 2 SUBTASK 2B. SHORT FORM EIA 50% OF \$62,024			31,012.00
<b>SUBTOTAL</b>			<b>79,849.00</b>
<b>TOTAL</b>			<b>79,849.00</b>

<b>TOTAL DUE (USD)</b>	<b>79,849.00</b>
<b>CONTRACT MAXIMUM</b>	<b>315,000.00</b>
<b>BALANCE REMAINING</b>	<b>193,153.00</b>

Reserve Facility Portion is marked in Red



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 KANSAS CITY MO 64180-3823  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKCU544  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT TIMPE, DOUGLAS C  
 TELEPHONE +19134586437  
 INVOICE NO 216283  
 INVOICE DATE 19-Oct-2021  
 BILLED THRU 1-Oct-2021  
 PAYMENT DUE 18-Nov-2021  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 61,225.00

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
RINKOL, MICHAEL J	27.00	200.00	5,400.00		5,400.00
WEINAND, BRYCE J	1.00	178.00	178.00		178.00
AMENDMENT 2 TASK 8 20% UPON AGREEMENT EXECUTION					43,000.00
TASK 2 SUBTASK 2B. SHORT FORM IEA 15% SUBMISSION OF DRAFT SHORT-FORM EIA TO AGENCY					9,303.60
TASK 5 PHASE 1 ESA 20% UPON NOTICE TO PROCEED					3,343.40
<b>SUBTOTAL</b>					<b>61,225.00</b>
<b>TOTAL</b>	<b>28.00</b>		<b>5,578.00</b>		<b>61,225.00</b>

[12,900.0]

TOTAL DUE (USD)	61,225.00
CONTRACT MAXIMUM	315,000.00
BALANCE REMAINING	131,928.00

Reserve Facility Portion is marked in Red



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 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKCUS44  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT TIMPE, DOUGLAS C  
 TELEPHONE +19134586437  
 INVOICE NO 216360  
 INVOICE DATE 17-Nov-2021  
 BILLED THRU 5-Nov-2021  
 PAYMENT DUE 17-Dec-2021  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 158,667.00

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
KARR, GRIFFIN	9.00	143.00	1,287.00		1,287.00
RINKOL, MICHAEL J	125.00 [25.0]	200.00	25,000.00		25,000.00 [5,000]
TIMPE, DOUGLAS C	7.00 [4.0]	254.00	1,778.00		1,778.00 [1,016]
WEINAND, BRYCE J	9.00	178.00	1,602.00		1,602.00
AMENDMENT 2 TASK 8 60% 1ST SET OF DRAFT RESPONSES SUBMITTED TO CLIENT					129,000.00 [38,700.0]
<b>SUBTOTAL</b>					<b>158,667.00</b>
<b>TOTAL</b>	<b>150.00</b>		<b>29,667.00</b>		<b>158,667.00</b>

TOTAL DUE (USD)	158,667.00
CONTRACT MAXIMUM	400,000.00
BALANCE REMAINING	58,261.00

Reserve Facility Portion is marked in Red

## TIME LOG

12369	<b>Guam Ukudu Power LLC</b>	Invoice No. 216360
408667	<b>Guam DG Power Project</b>	-----
10/22/2021		

### PROFESSIONAL SERVICES

Week Ending:	Timekeeper	Task	Description	Hours	
9/10/2021	Rinkol	7	Followup with agency re: status of draft air permit (CCCT)	1	
10/8/2021	Rinkol	7	Followup with agency re: single source determination (DG)	14	RF
10/8/2021	Rinkol	7	Review/comment on GEPA draft air permit (CCCT)	12	
10/15/2021	Rinkol	7	Followup with agency re: single source determination (DG)	8	RF
10/15/2021	Rinkol	7	Respond to GUP questions regarding draft air permit strategy (CCCT)	23	
10/22/2021	Rinkol	7	Followup re: single source determination (DG)	3	RF
10/22/2021	Rinkol	7	Respond to GUP questions regarding draft air permit strategy; initiate preparation of draft air permit (CCCT)	16	
10/29/2021	Rinkol	7	Preparation of draft air permit and Statement of Basis (CCCT)	28	
11/5/2021	Rinkol	7	Correspondence with agency regarding draft air permit; revision/update of draft air permit and Statement of Basis (CCCT)	20	
10/8/2021	Weinand	7	Support draft air permit preparation (CCCT)	4	
10/15/2021	Weinand	7	Support draft air permit preparation (CCCT)	3	
10/22/2021	Weinand	7	Support draft air permit preparation (CCCT)	2	
10/29/2021	Karr	7	Support draft air permit preparation (CCCT)	6	
11/5/2021	Karr	7	Support draft air permit preparation (CCCT)	3	
10/1/2021	Timpe	7	Review of single source determination (DG)	2	RF
10/15/2021	Timpe	7	Review of single source determination (DG)	2	RF
10/15/2021	Timpe	7	Review of draft air permit preparation (CCCT)	1	
10/22/2021	Timpe	7	Review of draft air permit preparation (CCCT)	2	
Click or tap to enter a date.					
Click or tap to enter a date.					
Click or tap to enter a date.					
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Click or tap to enter a date.					
Click or tap to enter a date.					
Click or tap to enter a date.					
<b>TOTAL</b>				<b>150</b>	



# INVOICE

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 P.O. BOX 803823  
 KANSAS CITY MO 64180-3823  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKCUS44  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT TIMPE, DOUGLAS C  
 TELEPHONE +19134586437  
 INVOICE NO 216447  
 INVOICE DATE 23-Dec-2021  
 BILLED THRU 3-Dec-2021  
 PAYMENT DUE 22-Jan-2022  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 24,482.51

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
RINKOL, MICHAEL J	35.00	[33.0]	200.00	7,000.00	7,000.00
TIMPE, DOUGLAS C	18.00	254.00	4,572.00		4,572.00
TG ENGINEERS INVOICE 19-041-09					14,201.56
<b>SUBTOTAL</b>					<b>25,773.56</b>
<b>TOTAL</b>	<b>53.00</b>		<b>11,572.00</b>		<b>25,773.56</b>
10% COST OF 3RD PARTY SERVICES MARKUP WAIVED BY BLACK & VEATCH FOR INVOCIE 216447					-1291.05
<b>TOTAL DUE (USD)</b>					<b>24,482.51</b>

Reserve Facility Portion is marked in Red

## TIME LOG

	<b>Guam Ukudu Power LLC</b>	Invoice No. 216435
408667	<b>Guam DG Power Project</b>	-----
12/15/2021		

### PROFESSIONAL SERVICES – BLACK & VEATCH

<b>Week Ending:</b>	<b>Timekeeper</b>	<b>Task</b>	<b>Description</b>	<b>Hours</b>	
11/5/2021	Rinkol	7	Followup with agency re: status of draft air permit	2	
11/19/2021	Rinkol	7	Followup with agency re: single source determination; review/comment on GEPA draft air permit	1	RF
11/26/2021	Rinkol	7	Followup with agency re: single source determination; respond to GUP questions regarding draft air permit strategy	12	RF
12/3/2021	Rinkol	7	Followup re: single source determination; respond to GUP questions regarding draft air permit strategy; air permit application preparation	20	RF
10/29/2021	Timpe	7	Review preparation of draft air permit and Statement of Basis	6	
11/12/2021	Timpe	7	Oversight of draft air permit preparation	2	
11/19/2021	Timpe	7	Oversight of draft air permit preparation	2	
12/3/2021	Timpe	7	Review air permitting materials/correspondence	8	
<b>TOTAL</b>				<b>53</b>	





# INVOICE

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BLACK & VEATCH INTERNATIONAL  
 P.O. BOX 803823  
 KANSAS CITY MO 64180-3823  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

**ELECTRONIC FUNDS TRANSFER TO:**  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKCUS44  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT TIMPE, DOUGLAS C  
 TELEPHONE +19134586437  
 INVOICE NO 216477  
 INVOICE DATE 10-Jan-2022  
 BILLED THRU 31-Dec-2021  
 PAYMENT DUE 9-Feb-2022  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 59,049.28

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
CRIST, CAILEE	8.00	139.00	1,112.00		1,112.00
RINKOL, MICHAEL J					19,600.00
TIMPE, DOUGLAS C	10.00	254.00	2,540.00		2,540.00
TASK 5 - PHASE I ESA - 80% OF \$16,717					13,373.60
TASK 8 - LENDER SUPPORT - 10% OF \$215,000					21,500.00
TG ENG 19-041-10					1,016.05
<b>SUBTOTAL</b>					<b>59,141.65</b>
<b>TOTAL</b>	<b>116.00</b>		<b>23,252.00</b>		<b>59,141.65</b>
10% COST OF 3RD PARTY SERVICES MARKUP WAIVED BY BLACK & VEATCH FOR INVOCIE 216477					-92.37
<b>TOTAL DUE (USD)</b>					<b>59,049.28</b>

[6,450.0]

## TIME LOG

	<b>Guam Ukudu Power LLC</b>	Invoice No. 216477
408667	<b>Guam DG Power Project</b>	-----
1/11/2022		

### PROFESSIONAL SERVICES – BLACK & VEATCH

<b>Week Ending:</b>	<b>Timekeeper</b>	<b>Task</b>	<b>Description</b>	<b>Hours</b>
12/10/2021	Rinkol	7	Prepare draft air permit	15
12/17/2021	Rinkol	7	Prepare draft air permit	20
12/24/2021	Rinkol	7	Prepare draft air permit	31
12/31/2021	Rinkol	7	Prepare draft air permit	32
12/24/2021	Crist	7	Prepare draft air permit	8
12/10/2021	Timpe	7	Review preparation of draft air permit	8
12/17/2021	Timpe	7	Oversight of draft air permit preparation	2
<b>TOTAL</b>				<b>116</b>



# INVOICE

PLEASE REMIT TO:  
**BLACK & VEATCH INTERNATIONAL**  
 P.O. BOX 803823  
 KANSAS CITY MO 64180-3823  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
**BLACK & VEATCH INTERNATIONAL**  
 ACCOUNT NUMBER: 2717320  
 COMMERCE BANK, KC, MO. USA  
 ABA NUMBER: 101000019  
 S.W.I.F.T. NO. CBKCUS44  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT LUCAS, KYLE J  
 TELEPHONE +19134589062  
 INVOICE NO 216808  
 INVOICE DATE 31-May-2022  
 BILLED THRU 20-May-2022  
 PAYMENT DUE 30-Jun-2022  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 222,999.85

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
<b>AMENDMENT 1, TASK 7</b>					
ENYART, DANA M	7.00	[5.0]	90.00	630.00	630.00
KEARN, KEENAN G	9.00	[3.0]	118.00	1,062.00	1,062.00
LUCAS, KYLE J	110.50	[43.5]	254.00	28,067.00	28,067.00
LUECKE, GENISE M	37.25	[11.25]	225.00	8,381.25	8,381.25
RINKOL, MICHAEL J	483.00	[292.0]	200.00	96,600.00	96,600.00
SZYMANSKI, JEFF D	002.00		210.00	420.00	420.00
TIMPE, DOUGLAS C	8.00	[8.0]	254.00	2,032.00	2,032.00
WILLIAMS, SAMUEL E	7.00	[2.0]	143.00	1,001.00	1,001.00
TG ENG 19-041-11					1,534.20
<b>AMENDMENT 2 TASK 8 - LENDER SUPPORT - 5% OF \$215,000</b>					10,750.00
<b>TASK 2 - SUBTASK 2A. FULL EIA- % OF \$97,171</b>					35,147.00
<b>TASK 2 SUBTASK 2B. SHORT FORM EIA - FINAL</b>					9,303.40
<b>TASK 3 -OPTIONAL SUBTASK 3B. AIR DISPERSION MODELING, FIRST ITERATION 80%</b>					28,072.00
<b>SUBTOTAL</b>					<b>222,999.85</b>
<b>TOTAL</b>	<b>663.75</b>		<b>138,193.25</b>		<b>222,999.85</b>

[450.0]  
 [354.0]  
 [11,049.0]  
 [2,531.25]  
 [58,400.0]  
 [2,032.0]  
 [286.0]  
 [3,225.0]

<b>TOTAL DUE</b>	<b>222,999.85</b>
------------------	-------------------

Reserve Facility Portion is marked in Red

A	B	C	D	E	F	G	H
Project	Task ID	Name	Hours	Trans	Comments for activities	CCPP	Reserve Facility
1				Week End Date			
2	408667	2000	Enyart, Dana	3.00	01/28/2022	General Administration	
3	408667	2000	Enyart, Dana	2.00	01/28/2022	General Administration	X
4	408667	2000	Enyart, Dana	2.00	04/01/2022	General Administration	X
5	408667	2000	Lucas, Kyle	2.00	01/07/2022	Project oversight and General Admin and Dispersion modeling	X
6	408667	2000	Lucas, Kyle	2.00	01/14/2022	Project oversight and General Admin and Dispersion modeling	X
7	408667	2000	Lucas, Kyle	3.00	01/14/2022	Project oversight and General Admin	X
8	408667	2000	Lucas, Kyle	1.00	01/21/2022	Project oversight and General Admin and Dispersion modeling	X
9	408667	2000	Lucas, Kyle	4.00	01/21/2022	Project oversight and General Admin and Dispersion modeling	X
10	408667	2000	Lucas, Kyle	2.00	01/28/2022	Project oversight and General Admin and Dispersion modeling	X
11	408667	2000	Lucas, Kyle	2.00	01/28/2022	Project oversight and General Admin	X
12	408667	2000	Lucas, Kyle	3.50	02/04/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
13	408667	2000	Lucas, Kyle	1.00	02/04/2022	Meetings   Response to GUP Questions	X
14	408667	2000	Lucas, Kyle	4.00	02/11/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
15	408667	2000	Lucas, Kyle	2.00	02/11/2022	Meetings   Response to GUP Questions	X
16	408667	2000	Lucas, Kyle	3.00	02/18/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
17	408667	2000	Lucas, Kyle	1.00	02/18/2022	Meetings   Response to GUP Questions	X
18	408667	2000	Lucas, Kyle	2.00	02/25/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
19	408667	2000	Lucas, Kyle	1.00	02/25/2022	Meetings   Response to GUP Questions	X
20	408667	2000	Lucas, Kyle	4.00	03/04/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
21	408667	2000	Lucas, Kyle	2.00	03/04/2022	Meetings   Response to GUP Questions	X
22	408667	2000	Lucas, Kyle	2.00	03/11/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
23	408667	2000	Lucas, Kyle	1.00	03/11/2022	Meetings   Response to GUP Questions	X
24	408667	2000	Lucas, Kyle	1.00	03/18/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
25	408667	2000	Lucas, Kyle	1.00	03/18/2022	Meetings   Response to GUP Questions	X
26	408667	2000	Lucas, Kyle	3.00	03/25/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
27	408667	2000	Lucas, Kyle	1.00	03/25/2022	Meetings   Response to GUP Questions	X
28	408667	2000	Lucas, Kyle	3.00	04/01/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
29	408667	2000	Lucas, Kyle	1.00	04/01/2022	Meetings   Response to GUP Questions	X
30	408667	2000	Lucas, Kyle	1.00	04/08/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
31	408667	2000	Lucas, Kyle	5.00	04/15/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
32	408667	2000	Lucas, Kyle	3.00	04/15/2022	Meetings   Response to GUP Questions	X
33	408667	2000	Lucas, Kyle	2.00	04/22/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
34	408667	2000	Lucas, Kyle	1.00	04/22/2022	Meetings   Response to GUP Questions	X
35	408667	2000	Lucas, Kyle	5.50	04/29/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
36	408667	2000	Lucas, Kyle	2.00	04/29/2022	Meetings   Response to GUP Questions	X
37	408667	2000	Lucas, Kyle	1.00	05/06/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
38	408667	2000	Lucas, Kyle	1.00	05/06/2022	Meetings   Response to GUP Questions	X
39	408667	2000	Lucas, Kyle	7.00	05/13/2022	Comments Draft Permit (CCPP)   Meetings   Response to GUP Questions	X
40	408667	2000	Lucas, Kyle	4.00	05/13/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
41	408667	2000	Lucas, Kyle	2.00	05/20/2022	Comments Draft Permit (CCPP)   Meetings   Response to GUP Questions	X
42	408667	2000	Lucas, Kyle	1.00	05/20/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
43	408667	2000	Lucas, Kyle	1.00	01/21/2022	Meetings and Response to GUP Questions	X
44	408667	2000	Luecke, Genise	0.50	01/28/2022	Meetings and Response to GUP Questions	X
45	408667	2000	Luecke, Genise	0.50	01/28/2022	Meetings and Response to GUP Questions	X
46	408667	2000	Luecke, Genise	0.50	02/04/2022	Meetings and Response to GUP Questions	X
47	408667	2000	Luecke, Genise	0.50	02/04/2022	Meetings and Response to GUP Questions	X
48	408667	2000	Luecke, Genise	1.00	02/18/2022	Meetings and Response to GUP Questions	X
49	408667	2000	Luecke, Genise	1.00	02/25/2022	Meetings and Response to GUP Questions	X
50	408667	2000	Luecke, Genise	1.00	03/04/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
51	408667	2000	Luecke, Genise	1.00	03/11/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
52	408667	2000	Luecke, Genise	1.00	03/18/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
53	408667	2000	Luecke, Genise	1.00	03/25/2022	Meetings   Comments Draft Permit (CCPP)	X
54	408667	2000	Luecke, Genise	1.00	04/01/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
55	408667	2000	Luecke, Genise	1.50	04/15/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
56	408667	2000	Luecke, Genise	0.50	04/15/2022	Meetings   Response to GUP Questions	X
57	408667	2000	Luecke, Genise	3.00	03/18/2022	Meetings   Response to GUP Questions	X
58	408667	2000	Luecke, Genise	5.00	03/18/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
59	408667	2000	Rinkol, Michael	8.00	03/25/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Meetings	X
60	408667	2000	Rinkol, Michael	3.00	03/25/2022	Meetings   Comments Draft Permit (CCPP)	X
61	408667	2000	Rinkol, Michael	9.00	04/01/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X
62	408667	2000	Rinkol, Michael	25.00	04/15/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
63	408667	2000	Rinkol, Michael	5.00	04/15/2022	Meetings   Response to GUP Questions	X
64	408667	2000	Rinkol, Michael	28.00	04/22/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
65	408667	2000	Rinkol, Michael	5.00	04/22/2022	Meetings   Response to GUP Questions	X
66	408667	2000	Rinkol, Michael	25.00	04/29/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
67	408667	2000	Rinkol, Michael	3.00	04/29/2022	Meetings   Response to GUP Questions	X
68	408667	2000	Rinkol, Michael	28.00	05/06/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
69	408667	2000	Rinkol, Michael	6.00	05/06/2022	Meetings   Response to GUP Questions	X
70	408667	2000	Rinkol, Michael	13.00	05/13/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
71	408667	2000	Rinkol, Michael	13.00	05/13/2022	Comments Draft Permit (CCPP)   Meetings   Response to GUP Questions	X
72	408667	2000	Rinkol, Michael	11.00	05/20/2022	Additional requested support beyond Task 3's scope for Draft Application (Reserve)   Meetings   Response to GUP Questions	X
73	408667	2000	Rinkol, Michael	11.00	05/20/2022	Comments Draft Permit (CCPP)   Meetings   Response to GUP Questions	X
74	408667	2000	Rinkol, Michael	9.00	02/11/2022	Supporting GIS work for AERMET as part of the air dispersion modeling DG and CCPP (Task 3b)	X
75	408667	2010	Kearn, Keenan	2.00	01/14/2022	Supporting weekly project and strategy and document review with GUP on CCPP and DG	X
76	408667	2010	Lucas, Kyle	2.00	02/11/2022	Meetings and Response to GUP Questions	X
77	408667	2010	Lucas, Kyle	1.00	02/25/2022	Meetings and Response to GUP Questions	X
78	408667	2010	Lucas, Kyle	2.00	03/04/2022	Meetings and Response to GUP Questions	X
79	408667	2010	Lucas, Kyle	2.00	03/04/2022	Meetings and Response to GUP Questions	X
80	408667	2010	Lucas, Kyle	1.00	03/18/2022	Lender Questions (CCPP), Responses to GUP Questions, General project oversight	X
81	408667	2010	Lucas, Kyle	2.00	04/15/2022	Lender Questions (CCPP), General project oversight	X
82	408667	2010	Lucas, Kyle	1.00	04/22/2022	Lender Questions (CCPP), General project oversight	X
83	408667	2010	Lucas, Kyle	1.00	04/29/2022	Lender Questions (CCPP), General project oversight	X
84	408667	2010	Lucas, Kyle	2.50	05/06/2022	Lender Questions (CCPP), General project oversight	X
85	408667	2010	Lucas, Kyle	3.00	05/13/2022	Lender Questions (CCPP), General project oversight	X
86	408667	2010	Lucas, Kyle	3.00	05/20/2022	Lender Questions (CCPP), General project oversight	X
87	408667	2010	Lucas, Kyle	1.00	01/14/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings	X

A	B	C	D	E	F	G	H
Project	Task ID	Name	Hours	Trans Week End Date	Comments for activities	CCPP	Reserve Facility
88	408667	2010 Luecke, Genise	2.50	01/21/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings		X
89	408667	2010 Luecke, Genise	1.00	01/21/2022	Response to GUP Questions   Meetings	X	
90	408667	2010 Luecke, Genise	1.50	01/28/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings		X
91	408667	2010 Luecke, Genise	0.50	01/28/2022	Response to GUP Questions   Meetings	X	
92	408667	2010 Luecke, Genise	1.00	02/11/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
93	408667	2010 Luecke, Genise	1.00	02/11/2022	Meetings   Response to GUP Questions		X
94	408667	2010 Luecke, Genise	1.00	02/25/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
95	408667	2010 Luecke, Genise	4.00	03/04/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
96	408667	2010 Luecke, Genise	1.25	03/04/2022	Meetings   Response to GUP Questions		X
97	408667	2010 Luecke, Genise	1.00	03/11/2022	Meetings   Comments Draft Permit (CCPP)	X	
98	408667	2010 Luecke, Genise	0.50	03/18/2022	Response to GUP Questions		X
99	408667	2010 Luecke, Genise	2.00	03/25/2022	Lender Questions (CCPP) and Responses to GUP Questions	X	
100	408667	2010 Luecke, Genise	2.00	04/01/2022	Lender Questions (CCPP)	X	
101	408667	2010 Luecke, Genise	2.00	04/08/2022	Lender Questions (CCPP)	X	
102	408667	2010 Luecke, Genise	3.00	04/15/2022	Lender Questions (CCPP)	X	
103	408667	2010 Luecke, Genise	28.00	01/07/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings		X
104	408667	2010 Luecke, Genise	6.00	01/07/2022	Meetings	X	
105	408667	2010 Rinkol, Michael	-10.00	12/31/2021	Timesheet Error		
106	408667	2010 Rinkol, Michael	30.00	01/14/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings		X
107	408667	2010 Rinkol, Michael	4.00	01/14/2022	Meetings	X	
108	408667	2010 Rinkol, Michael	12.00	01/21/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings		X
109	408667	2010 Rinkol, Michael	4.00	01/21/2022	Meetings	X	
110	408667	2010 Rinkol, Michael	19.00	01/28/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions   Meetings		X
111	408667	2010 Rinkol, Michael	4.00	01/28/2022	Meetings	X	
112	408667	2010 Rinkol, Michael	3.00	02/04/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
113	408667	2010 Rinkol, Michael	1.00	02/04/2022	Meetings   Response to GUP Questions		X
114	408667	2010 Rinkol, Michael	9.00	02/11/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
115	408667	2010 Rinkol, Michael	1.00	02/11/2022	Meetings   Response to GUP Questions		X
116	408667	2010 Rinkol, Michael	5.00	02/18/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
117	408667	2010 Rinkol, Michael	1.00	02/18/2022	Meetings   Response to GUP Questions		X
118	408667	2010 Rinkol, Michael	14.00	02/25/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
119	408667	2010 Rinkol, Michael	2.00	02/25/2022	Meetings   Response to GUP Questions		X
120	408667	2010 Rinkol, Michael	24.00	03/04/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
121	408667	2010 Rinkol, Michael	6.00	03/04/2022	Meetings   Response to GUP Questions		X
122	408667	2010 Rinkol, Michael	20.00	03/11/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
123	408667	2010 Rinkol, Michael	5.00	03/11/2022	Meetings   Response to GUP Questions		X
124	408667	2010 Rinkol, Michael	10.00	03/18/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Meetings		X
125	408667	2010 Rinkol, Michael	7.00	03/18/2022	Meetings   Comments Draft Permit (CCPP)	X	
126	408667	2010 Rinkol, Michael	-8.00	03/18/2022	Timesheet Error		
127	408667	2010 Rinkol, Michael	12.00	03/25/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Meetings   Response to GUP Questions		X
128	408667	2010 Rinkol, Michael	10.00	03/25/2022	Meetings   Comments Draft Permit (CCPP)   Response to GUP Questions	X	
129	408667	2010 Rinkol, Michael	-11.00	03/25/2022	Timesheet Error		
130	408667	2010 Rinkol, Michael	28.00	04/01/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Meetings		X
131	408667	2010 Rinkol, Michael	5.00	04/01/2022	Meetings	X	
132	408667	2010 Rinkol, Michael	-9.00	04/01/2022	Timesheet Error		
133	408667	2010 Rinkol, Michael	25.00	04/08/2022	Comments Draft Permit (CCPP)   Meetings	X	
134	408667	2010 Rinkol, Michael	9.00	04/08/2022	Meetings		X
135	408667	2010 Rinkol, Michael	5.00	04/15/2022	Lender Questions (CCPP)	X	
136	408667	2010 Rinkol, Michael	4.00	04/22/2022	Lender Questions (CCPP)	X	
137	408667	2010 Rinkol, Michael	1.00	04/29/2022	Lender Questions (CCPP)	X	
138	408667	2010 Rinkol, Michael	1.00	05/06/2022	Lender Questions (CCPP)	X	
139	408667	2010 Rinkol, Michael	5.00	05/13/2022	Lender Questions (CCPP)	X	
140	408667	2010 Szymanski, Jeff	2.00	01/14/2022	Supplement ESIA sound monitoring CCHP	X	
141	408667	2010 Timpe, Doug	8.00	01/14/2022	Additional requested support beyond Task 3's scope for Dispersion Modeling (Reserve)   Response to GUP Questions		X
142	408667	2010 Williams, Samuel	2.00	01/07/2022	ESIA for the reserve facility		X
143	408667	2010 Williams, Samuel	5.00	01/14/2022	Supplemental for the CCHP	X	
144							
145			.663.75				
146							



# INVOICE

PLEASE REMIT TO:  
**BLACK & VEATCH INTERNATIONAL**  
 P.O. BOX 505618  
 ST LOUIS, MO 63150-5618  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
**BILL TO:**  
**ACCOUNTS PAYABLE**  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

**ELECTRONIC FUNDS TRANSFER TO:**

Account number: 8670913175  
 Active ACH Blocks/Filters on file Yes  
 Routing number ACH/EFT 071000039  
 Routing number DOM. WIRES 026009593  
 SWIFT Code INTL WIRES BOFAUS3N - Domestic  
 BOFAUS65 - International  
 Account Name: BLACK & VEATCH INTERNATIONAL CO  
 11401 LAMAR AVE  
 Account Address: OVERLAND PARK KS 66211-1598

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT LUCAS, KYLE J  
 TELEPHONE +19134589062  
 INVOICE NO 216976  
 INVOICE DATE 12-Aug-2022  
 BILLED THRU 5-Aug-2022  
 PAYMENT DUE 11-Sep-22  
 PAYMENT TERMS NET 30  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 103,413.00

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
AMENDMENT 3- TASK 9 CCPP REMODELING					15,829.00
AMEND 3 TASK 10 PRE-SUBMITTAL SUPPORT					87,584.00
<b>SUBTOTAL</b>					<b>103,413.00</b>
<b>BALANCE REMAINING</b>					<b>103,413.00</b>

[26,275.20]

Reserve Facility Portion is marked in Red



# INVOICE

PLEASE REMIT TO:  
 BLACK & VEATCH INTERNATIONAL CO.  
 P.O. BOX 505618  
 ST. LOUIS MO 63150-5618  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 8670913175  
 BANK OF AMERICA, N.A.  
 ABA NUMBER: ACH 071000039, Wire 026009593  
 S.W.I.F.T. NO. : Domestic BOFAUS3N, Intl BOFAUS6S  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT LUCAS, KYLE J  
 TELEPHONE +19134589062  
 INVOICE NO 217057  
 INVOICE DATE 10-Nov-2022  
 BILLED THRU 2-Sep-2022  
 PAYMENT DUE 9-Dec-2022  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 69,612.00

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
3100BVI AMEND 3 - POST SUBMI ENGLAND, JOHN D ENS-130 SERVICES CONSUL	35.50	[17.75] 145.00	5,147.50		5,147.50
3100BVI AMEND 3 - POST SUBMI LUCAS, KYLE J PMT-002 PROJECT MANAGER	76.00	[37.5] 254.00	19,304.00		19,304.00
3100BVI AMEND 3 - POST SUBMI MILLER, DUSTY L ENS-132 SERVICES CONSUL	60.00	[19.5] 207.00	12,420.00		12,420.00
3100BVI AMEND 3 - POST SUBMI PARSONS, STEPHANIE S FIN-003 PROJECT ACCOUNT	2.00	[1.0] 90.00	180.00		180.00
3100BVI AMEND 3 - POST SUBMI RICHTER, JOHN ENS-131 SERVICES CONSUL	48.50	[24.25] 193.00	9,360.50		9,360.50
3100BVI AMEND 3 - POST SUBMI RINKOL, MICHAEL J ENS-132 SERVICES CONSUL	116.00	[85.5] 200.00	23,200.00		23,200.00
<b>SUBTOTAL</b>	<b>338.00</b>		<b>69,612.00</b>		<b>69,612.00</b>
<b>TOTAL</b>	<b>338.00</b>		<b>69,612.00</b>		<b>69,612.00</b>

[2,573.75]  
 [9,525.0]  
 [4,036.5]  
 [90.0]  
 [4,680.25]  
 [17,100.0]

TOTAL DUE (USD) 69,612.00

Reserve Facility Portion is marked in Red

				Guam UKUDU Power, LLC		
	Project:	408667				
	Date:	12/28/2022				
	Employee	Date	Hours	Description	CCPP Facility	Reserve Facility
1	John C. Richter	7/6/2022	0.5	begin drafting E266, subsequently incorporated into the CHA as a stand-alone section in report, email from GUP on 7/1/2022 requesting this activity	X	
2	John C. Richter	7/6/2022	0.5	begin drafting E266, subsequently incorporated into the CHA as a stand-alone section in report, email from GUP on 7/1/2022 requesting this activity		X
3	John C. Richter	7/8/2022	4.5	working on BAP	X	
4	John C. Richter	7/8/2022	4.5	working on BAP		X
5	John C. Richter	7/13/2022	3	working on BAP	X	
6	John C. Richter	7/13/2022	3	working on BAP		X
7	John C. Richter	7/14/2022	4	working on BAP	X	
8	John C. Richter	7/14/2022	4	working on BAP		X
9	John C. Richter	7/15/2022	2	working on BAP	X	
10	John C. Richter	7/15/2022	2	working on BAP		X
11	John C. Richter	7/18/2022	2.5	working on BAP	X	
12	John C. Richter	7/18/2022	2.5	working on BAP		X
13	John C. Richter	7/19/2022	2.5	working on BAP	X	
14	John C. Richter	7/19/2022	2.5	working on BAP		X
15	John C. Richter	7/20/2022	2.5	working on BAP	X	
16	John C. Richter	7/20/2022	2.5	working on BAP		X
17	John C. Richter	7/21/2022	0.5	working on BAP	X	
18	John C. Richter	7/21/2022	0.5	working on BAP		X
19	John C. Richter	7/22/2022	1	working on BAP	X	
20	John C. Richter	7/22/2022	1	working on BAP		X
21	John C. Richter	7/25/2022	0.5	working on BAP	X	
22	John C. Richter	7/25/2022	0.5	working on BAP		X
23	John C. Richter	8/9/2022	0.75	internal timesheet corrections to updated B&V charge number 408667.3100	X	
24	John C. Richter	8/9/2022	0.75	internal timesheet corrections to updated B&V charge number 408667.3100		X
25	John England	7/1/2022	1	Project Kick-off meeting for invasive species write-up.	X	
26	John England	7/1/2022	1	Project Kick-off meeting for invasive species write-up.		X
27	John England	7/5/2022	1.5	Invasive species write-up update. Updated autic species vectors	X	
28	John England	7/5/2022	1.5	Invasive species write-up update. Updated autic species vectors		X
29	John England	7/6/2022	1.25	Invasive species write-up update. Updated autic species vectors	X	
30	John England	7/6/2022	1.25	Invasive species write-up update. Updated autic species vectors		X
31	John England	7/7/2022	1.25	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Updated Air and Ground species vectors	X	
32	John England	7/7/2022	1.25	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Updated Air and Ground species vectors		X
33	John England	7/8/2022	1.25	Progress meeting and check in with D Miller for Invasive speices writeup	X	
34	John England	7/8/2022	1.25	Progress meeting and check in with D Miller for Invasive speices writeup		X
35	John England	7/12/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Added aquatic invasive species section.	X	
36	John England	7/12/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Added aquatic invasive species section.		X
37	John England	7/13/2022	1.5	Update and modification to Invasive species write-up update, Update and modification to invasive species management plan. Added aquatic invasive species section. Added species of high concern.	X	
38	John England	7/13/2022	1.5	Update and modification to Invasive species write-up update, Update and modification to invasive species management plan. Added aquatic invasive species section. Added species of high concern.		X
39	John England	7/14/2022	1.25	Update and modification to Invasive species write-up update, Update and modification to invasive species management plan. Added aquatic invasive species section. Added species of high concern.	X	
40	John England	7/14/2022	1.25	Update and modification to Invasive species write-up update, Update and modification to invasive species management plan. Added aquatic invasive species section. Added species of high concern.		X
41	John England	7/15/2022	1.25	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Added aquatic invasive species section. Added control methods. Added impacts related to project if species are spread	X	
42	John England	7/15/2022	1.25	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Added aquatic invasive species section. Added control methods. Added impacts related to project if species are spread		X



	Employee	Date	Hours	Description	CCPP Facility	Reserve Facility
43	John England	7/18/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Added aquatic invasive species section. And impacts to project.	X	
44	John England	7/18/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Added aquatic invasive species section. And impacts to project.		X
45	John England	7/19/2022	0.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes. Made minor edits after D. Miller QC	X	
46	John England	7/19/2022	0.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes. Made minor edits after D. Miller QC		X
47	John England	7/20/2022	1	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes. Made minor edits after D. Miller QC	X	
48	John England	7/20/2022	1	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes. Made minor edits after D. Miller QC		X
49	John England	7/21/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes.	X	
50	John England	7/21/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes.		X
51	John England	7/22/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes.	X	
52	John England	7/22/2022	1.5	Update and modification to Invasive species write up update, Update and modification to invasive species management plan. Minor edits and formatting changes.		X
53	Stephanie Parsons	5/25/2022	1	General accounting and invoicing	X	
54	Stephanie Parsons	5/25/2022	1	General accounting and invoicing		X
55	Michael Rinkol	5/20/2022	4.0	Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT	X	
56	Michael Rinkol	5/25/2022	8.0	Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT	X	
57	Michael Rinkol	5/26/2022	6.0	Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT	X	
58	Michael Rinkol	5/27/2022	3.0	Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT	X	
59	Michael Rinkol	5/31/2022	6.0	Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT	X	
60	Michael Rinkol	6/5/2022	2.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
61	Michael Rinkol	6/6/2022	2.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
62	Michael Rinkol	6/12/2022	1.5	Respond to Questions in Email (CCCT)	X	
63	Michael Rinkol	6/12/2022	1.5	Respond to Questions in Email (CCCT)		X
64	Michael Rinkol	6/14/2022	0.5	Weekly Meeting (CCCT/Diesel Reserve)	X	
65	Michael Rinkol	6/14/2022	0.5	Weekly Meeting (CCCT/Diesel Reserve)		X
66	Michael Rinkol	6/21/2022	1.0	Internal Discussion (CCCT/Diesel Reserve) / Weekly Meeting (CCCT/Diesel Reserve)	X	
67	Michael Rinkol	6/21/2022	1.0	Internal Discussion (CCCT/Diesel Reserve) / Weekly Meeting (CCCT/Diesel Reserve)		X
68	Michael Rinkol	6/23/2022	2.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
69	Michael Rinkol	6/24/2022	4.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
70	Michael Rinkol	6/28/2022	0.5	Weekly Meeting (CCCT/Diesel Reserve)	X	
71	Michael Rinkol	6/28/2022	0.5	Weekly Meeting (CCCT/Diesel Reserve)		X
72	Michael Rinkol	6/30/2022	5.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve) / Respond to Questions in Email (Diesel Reserve)		X
73	Michael Rinkol	7/5/2022	10.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
74	Michael Rinkol	7/6/2022	3.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
75	Michael Rinkol	7/7/2022	9.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
76	Michael Rinkol	7/8/2022	2.0	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
77	Michael Rinkol	7/12/2022	1.0	Internal Discussion (Diesel Reserve) / Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
78	Michael Rinkol	7/12/2022	3.0	Internal Discussion (Diesel Reserve) / Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve)		X
79	Michael Rinkol	7/22/2022	8.0	Internal Discussion (Diesel Reserve)		X
80	Michael Rinkol	7/25/2022	2.0	Internal Discussion (Diesel Reserve) / Call w/GUP		X
81	Michael Rinkol	7/26/2022	2.0	Modeling Results Summary (Diesel Reserve)		X
82	Michael Rinkol	8/4/2022	8.0	Respond to Questions in Email (Diesel Reserve) / Internal Discussion (Diesel Reserve)		X
83	Michael Rinkol	8/8/2022	1.0	Response to email questions		X

	Employee	Date	Hours	Description	CCPP Facility	Reserve Facility
84	Michael Rinkol	8/9/2022	2.0	Attending meetings (air permitting and weekly project)		X
85	Michael Rinkol	8/10/2022	7.0	Emission Calculations (Diesel Reserve)		X
86	Michael Rinkol	8/12/2022	4.0	Emission Calculations (Diesel Reserve)		X
87	Michael Rinkol	8/15/2022	2.0	Emission Calculations (Diesel Reserve)		X
88	Michael Rinkol	8/18/2022	1.0	Attending meetings (air permitting and weekly project)		X
89	Michael Rinkol	8/23/2022	1.0	Attending meetings (air permitting and weekly project)		X
90	Michael Rinkol	8/30/2022	1.0	Attending meetings (air permitting and weekly project)		X
91	Dusty Miller	5/19/2022	2.5	Internal team coordination/help sort out past contract tasks	X	
92	Dusty Miller	5/19/2022	2.5	Internal team coordination/help sort out past contract tasks		X
93	Dusty Miller	5/23/2022	0.5	Help sort out past contract tasks		X
94	Dusty Miller	5/24/2022	0.5	Help sort out past contract tasks		X
95	Dusty Miller	6/13/2022	0.5	Help sort out past contract tasks	X	
96	Dusty Miller	6/13/2022	0.5	Help sort out past contract tasks		X
97	Dusty Miller	6/17/2022	0.5	Help sort out past contract tasks	X	
98	Dusty Miller	6/17/2022	0.5	Help sort out past contract tasks		X
99	Dusty Miller	6/20/2022	1	Call with Mr. Son		X
100	Dusty Miller	6/21/2022	0.5	Internal team coordination	X	
101	Dusty Miller	6/21/2022	0.5	Internal team coordination		X
102	Dusty Miller	6/28/2022	1.5	Internal team coordination, CHA and other items call with Mr. Son, post-call coordination and emails	X	
103	Dusty Miller	6/28/2022	1.5	Internal team coordination, CHA and other items call with Mr. Son, post-call coordination and emails		X
104	Dusty Miller	6/29/2022	1	Look for monitoring plan information for proposal to do construction monitoring monthly and biannually	X	
105	Dusty Miller	6/29/2022	1	Look for monitoring plan information for proposal to do construction monitoring monthly and biannually		X
106	Dusty Miller	6/30/2022	1	Preparation for coordination with internal team to work on monitoring proposal, meeting with internal team (2 of these hours go toward 7/8 week)	X	
107	Dusty Miller	6/30/2022	1	Preparation for coordination with internal team to work on monitoring proposal, meeting with internal team (2 of these hours go toward 7/8 week)		X
108	Dusty Miller	7/4/2022	0.5	Internal team coordination	X	
109	Dusty Miller	7/4/2022	0.5	Internal team coordination		X
110	Dusty Miller	7/7/2022	1.25	Look again for suitable traffic count information	X	
111	Dusty Miller	7/7/2022	1.25	Look again for suitable traffic count information		X
112	Dusty Miller	7/8/2022	1	Internal team coordination		X
113	Dusty Miller	7/11/2022	0.75	Internal team monitoring proposal work coordination	X	
114	Dusty Miller	7/11/2022	0.75	Internal team monitoring proposal work coordination		X
115	Dusty Miller	7/12/2022	0.5	Internal team monitoring proposal work coordination	X	
116	Dusty Miller	7/12/2022	0.5	Internal team monitoring proposal work coordination		X
117	Dusty Miller	7/19/2022	1	Assistance sorting out past contract/billing info	X	
118	Dusty Miller	7/19/2022	1	Assistance sorting out past contract/billing info		X
119	Dusty Miller	7/20/2022	0.5	CHA, invasive species items coordination	X	
120	Dusty Miller	7/20/2022	0.5	CHA, invasive species items coordination		X
121	Dusty Miller	7/21/2022	2	CHA/BAP review final report, internal team coordination	X	
122	Dusty Miller	7/21/2022	2	CHA/BAP review final report, internal team coordination		X
123	Dusty Miller	7/22/2022	3.5	Reserve Facility traffic and invasive species writeup reviews and additions (4 of these hours go toward 7/29 week total)	X	
124	Dusty Miller	7/23/2022	5	ESAP items, Reserve Facility ESIA items	X	
125	Dusty Miller	7/24/2022	5	ESAP items, Reserve Facility ESIA items	X	
126	Dusty Miller	7/25/2022	4	ESAP items, Reserve Facility ESIA items	X	
127	Dusty Miller	7/26/2022	4.5	ESAP items, Reserve Facility ESIA items	X	
128	Dusty Miller	7/27/2022	2	ESAP items, Reserve Facility ESIA items finish	X	
129	Dusty Miller	8/10/2022	1.25	Help determining correct invoice charges for TG tasks	X	
130	Dusty Miller	8/10/2022	1.25	Help determining correct invoice charges for TG tasks		X
131	Dusty Miller	8/19/2022	0.75	Timesheet changes to move to different project phase	X	
132	Dusty Miller	8/19/2022	0.75	Timesheet changes to move to different project phase		X
133	Dusty Miller	8/22/2022	0.5	Timesheet changes to move to different project phase	X	
134	Dusty Miller	8/22/2022	0.5	Timesheet changes to move to different project phase		X
135	Kyle Lucas	5/24/2022	3	Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT, GPA weekly permitting call, Amendment 3 disussions, general project management	X	
136	Kyle Lucas	5/25/2022	2	Status meeting about potential mitigation activities to satisfy net-gain requirement suggested by AECOMM, Accounting meeting	X	
137	Kyle Lucas	5/25/2022	2	Status meeting about potential mitigation activities to satisfy net-gain requirement suggested by AECOMM, Accounting meeting		X
138	Kyle Lucas	5/26/2022	2	Project Management Activities	X	
139	Kyle Lucas	5/26/2022	2	Project Management Activities		X
140	Kyle Lucas	5/31/2022	2	GUP Questions/repsonsos call, Update to NOX SU/SD Modeling forCCCT/Review of final Permit for CCCT	X	
141	Kyle Lucas	6/8/2022	3.5	Meeting on ARC, Env. GUP, and B&V team status about potential mitigation activities to satisfy net-gain requirement suggested by AECOMM	X	
142	Kyle Lucas	6/8/2022	3.5	Meeting on ARC, Env. GUP, and B&V team status about potential mitigation activities to satisfy net-gain requirement suggested by AECOMM		X
143	Kyle Lucas	6/14/2022	0.5	Weekly Meeting (CCCT/Diesel Reserve), GPA permitting and status call	X	
144	Kyle Lucas	6/14/2022	0.5	Weekly Meeting (CCCT/Diesel Reserve), GPA permitting and status call		X

	Employee	Date	Hours	Description	CCPP Facility	Reserve Facility
145	Kyle Lucas	6/17/2022	1	Status meeting about potential mitigation activities to satisfy net-gain requirement suggested by AECOMM	X	
146	Kyle Lucas	6/17/2022	1	Status meeting about potential mitigation activities to satisfy net-gain requirement suggested by AECOMM		X
147	Kyle Lucas	6/20/2022	2	Call with GPA, follow-up activities		X
148	Kyle Lucas	6/21/2022	1	Internal Discussion (CCCT/Diesel Reserve) / Weekly Meeting (CCCT/Diesel Reserve)	X	
149	Kyle Lucas	6/21/2022	1	Internal Discussion (CCCT/Diesel Reserve) / Weekly Meeting (CCCT/Diesel Reserve)		X
150	Kyle Lucas	6/22/2022	1	Internal team coordination	X	
151	Kyle Lucas	6/22/2022	1	Internal team coordination		X
152	Kyle Lucas	6/28/2022	1	Weekly Meeting (CCCT/Diesel Reserve), Combined permitting status and pipeline call	X	
153	Kyle Lucas	6/28/2022	1	Weekly Meeting (CCCT/Diesel Reserve), Combined permitting status and pipeline call		X
154	Kyle Lucas	6/29/2022	1	Internal team coordination	X	
155	Kyle Lucas	6/29/2022	1	Internal team coordination		X
156	Kyle Lucas	6/30/2022	2	Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve) / Respond to Questions in Email (Diesel Reserve)		X
157	Kyle Lucas	7/1/2022	1.5	Project Management Activities	X	
158	Kyle Lucas	7/1/2022	1.5	Project Management Activities		X
159	Kyle Lucas	7/2/2022	1.5	Biodiversity Action Plan (BAP) meeting on path forward, Discuss CHA as a stand-alone section in report	X	
160	Kyle Lucas	7/2/2022	1.5	Biodiversity Action Plan (BAP) meeting on path forward, Discuss CHA as a stand-alone section in report		X
161	Kyle Lucas	7/11/2022	1	Internal team monitoring proposal work coordination project management activities	X	
162	Kyle Lucas	7/11/2022	1	Internal team monitoring proposal work coordination project management activities		X
163	Kyle Lucas	7/12/2022	3	Internal Discussion (Diesel Reserve) / Emission Calculations (Diesel Reserve) / Application Preparation (Diesel Reserve), monthly meeting & pipeline call		X
164	Kyle Lucas	7/13/2022	2	Status BAP, Project management, discussion with team members	X	
165	Kyle Lucas	7/13/2022	2	Status BAP, Project management, discussion with team members		X
166	Kyle Lucas	7/15/2022	1	Discussed Biodiversity Action Plan (BAP), Project management activities	X	
167	Kyle Lucas	7/15/2022	1	Discussed Biodiversity Action Plan (BAP), Project management activities		X
168	Kyle Lucas	7/19/2022	3	Status BAP, Invoicing & Billing resolution	X	
169	Kyle Lucas	7/19/2022	3	Status BAP, Invoicing & Billing resolution		X
170	Kyle Lucas	7/22/2022	4	Internal Discussion (Diesel Reserve) including traffic and invasive species	X	
171	Kyle Lucas	7/25/2022	0.5	Status BAP, ESAP items, Reserve Facility ESIA items	X	
172	Kyle Lucas	7/25/2022	0.5	Status BAP, ESAP items, Reserve Facility ESIA items		X
173	Kyle Lucas	7/26/2022	1.5	Modeling Results Summary (Diesel Reserve), GPA permitting and pipeline call, ESAP items, Reserve Facility ESIA items	X	
174	Kyle Lucas	7/26/2022	1.5	Modeling Results Summary (Diesel Reserve), GPA permitting and pipeline call, ESAP items, Reserve Facility ESIA items		X
175	Kyle Lucas	7/27/2022	1	Review ESAP items, Reserve Facility ESIA items	X	
176	Kyle Lucas	7/27/2022	1	Review ESAP items, Reserve Facility ESIA items		X
177	Kyle Lucas	7/28/2022	1	Project management activities	X	
178	Kyle Lucas	7/28/2022	1	Project management activities		X
179	Kyle Lucas	8/2/2022	0.5	GPA status and pipeline call	X	
180	Kyle Lucas	8/2/2022	0.5	GPA status and pipeline call		X
181	Kyle Lucas	8/3/2022	0.5	Project Management Activities	X	
182	Kyle Lucas	8/3/2022	0.5	Project Management Activities		X
183	Kyle Lucas	8/9/2022	1	Attending meetings (air permitting and weekly project)		X
184	Kyle Lucas	8/10/2022	1	Emission Calculations (Diesel Reserve), invoicing time review, review daily summaries	X	
185	Kyle Lucas	8/10/2022	1	Emission Calculations (Diesel Reserve), invoicing time review, review daily summaries		X
186	Kyle Lucas	8/30/2022	0.5	pipeline call	X	
187	Kyle Lucas	8/30/2022	0.5	pipeline call		X
		Total	338.00			



# INVOICE

PLEASE REMIT TO:  
 BLACK & VEATCH INTERNATIONAL CO.  
 P.O. BOX 505618  
 ST. LOUIS MO 63150-5618  
 FED ID: 440662969  
 SERVICE TAX NO :  
 COMPANY REG NO:  
 BILL TO:  
 ACCOUNTS PAYABLE  
 GUAM UKUDU POWER LLC  
 655 SOUTH MARINE CORPS DRIVE  
 UNIT 102  
 TAMUNING GU GUAM 96913

ELECTRONIC FUNDS TRANSFER TO:  
 BLACK & VEATCH INTERNATIONAL  
 ACCOUNT NUMBER: 8670913175  
 BANK OF AMERICA, N.A.  
 ABA NUMBER: ACH 071000039, Wire 026009593  
 S.W.I.F.T. NO. : Domestic BOFAUS3N, Intl BOFAUS6S  
 \*\*\*PLEASE INCLUDE INVOICE NUMBER\*\*\*  
 ORG ID 117

CLIENT REF 408667.1000  
 CUSTOMER PO NUMBER EXHIBIT A  
 B&V PROJECT NO 408667  
 PROJECT NAME Diesel Generator Permitting -  
 B&V CONTACT LUCAS, KYLE J  
 TELEPHONE +19134589062  
 INVOICE NO 217255  
 INVOICE DATE 26-Dec-2022  
 BILLED THRU 3-Dec-2022  
 PAYMENT DUE 25-Jan-2023  
 PAYMENT TERMS 30 NET  
 INVOICE CURRENCY USD  
 INVOICE AMOUNT 50,665.96

DESCRIPTION	HOURS	BILL RATE	LABOR	EXPENSE	TOTAL
3100BVI AMEND 3 - POST SUBMI BUTLER, BARBARA PMT-002 PROJECT MANAGER	1.00 [0.5]	234.00	234.00		234.00 [17.0]
3100BVI AMEND 3 - POST SUBMI FRAZIER, ETHAN ENS-128 SERVICES CONSUL	12.00	118.00	1,416.00		1,416.00
3100BVI AMEND 3 - POST SUBMI FREDRICK, CINDY ADO-007 ADMIN SUPPORT	2.50 [1.25]	90.00	225.00		225.00 [12.5]
3100BVI AMEND 3 - POST SUBMI LUCAS, KYLE J PMT-002 PROJECT MANAGER	19.50 [10.25]	254.00	4,953.00		4,953.00 [2,603.5]
3100BVI AMEND 3 - POST SUBMI MILLER, DUSTY L ENS-132 SERVICES CONSUL	11.25 [4.5]	207.00	2,328.75		2,328.75 [931.5]
3100BVI AMEND 3 - POST SUBMI PARSONS, STEPHANIE S FIN-003 PROJECT ACCOUNT	6.00 [3.0]	90.00	540.00		540.00 [270.0]
3100BVI AMEND 3 - POST SUBMI RICHTER, JOHN ENS-131 SERVICES CONSUL	1.00 [0.5]	193.00	193.00		193.00 [96.5]
3100BVI AMEND 3 - POST SUBMI RINKOL, MICHAEL J ENS-132 SERVICES CONSUL	6.00 [5.5]	200.00	1,200.00		1,200.00 [1,100]
3100BVI AMEND 3 - POST SUBMI TG ENGINEERS INVOICE BV-20-01-02				39,576.21	39,576.21
<b>SUBTOTAL</b>	<b>59.25</b>		<b>11,089.75</b>		<b>50,665.96</b>
<b>TOTAL</b>	<b>59.25</b>		<b>11,089.75</b>		<b>50,665.96</b>

<b>TOTAL DUE (USD)</b>	<b>50,665.96</b>
------------------------	------------------

Reserve Facility Portion is marked in Red

Project: 408667  
 Date: 12/22/2022

Guam UKUDU Power, LLC

Employee	Date	Hours	Description	Reserve Facility	CCPP Facility	
1	Barbara Butler	5/31/2022	0.25	Project Closeout support for Phase II ESA	X	
	Barbara Butler	5/31/2022	0.25	Project Closeout support for Phase II ESA		X
2	Barbara Butler	9/7/2022	0.25	Project Closeout support for Phase II ESA	X	
	Barbara Butler	9/7/2022	0.25	Project Closeout support for Phase II ESA		X
3	John C. Richter	12-Sep-22	0.50	invoicing hours review year to date and spreadsheet update with work descriptions	X	
	John C. Richter	12-Sep-22	0.50	invoicing hours review year to date and spreadsheet update with work descriptions		X
4	Ethan Frazier	7/15/2022	2.00	Reviewed the ESMS documents including associated plans for project construction.		X
5	Ethan Frazier	7/18/2022	1.00	Internal clarification call to discuss revisions to the ESMS document per AECOM's request		X
6	Ethan Frazier	7/19/2022	1.00	Review of AECOM's comments and note-taking over potential changes that are required for		X
7	Ethan Frazier	7/20/2022	4.00	Revising the ESMS to make it more stream-lined and efficient per AECOM's request		X
8	Ethan Frazier	7/21/2022	0.50	Internal call covering changes made to the ESMS document		X
9	Ethan Frazier	7/22/2022	3.50	Revising the ESMS to make it more stream-lined and efficient per AECOM's request		X
10	Cindy K Fredrick	7/21/2022	0.75	Formatted a report for John Richter (BAP)	X	
	Cindy K Fredrick	7/21/2022	0.75	Formatted a report for John Richter (BAP)		X
11	Cindy K Fredrick	7/26/2022	0.50	Formatted a report for John Richter (BAP)	X	
	Cindy K Fredrick	7/26/2022	0.50	Formatted a report for John Richter (BAP)		X
12	Kyle J Lucas	9/8/2022	4.00	Project Management Activities & Air Status discussion internal	X	
	Kyle J Lucas	9/8/2022	3.00	Project Management Activities & Air Status discussion internal		X
13	Kyle J Lucas	9/14/2022	1.00	Project Management Activities & Air Status discussion internal	X	
	Kyle J Lucas	9/14/2022	1.00	Project Management Activities & Air Status discussion internal		X
14	Kyle J Lucas	9/22/2022	0.50	Project Management Activities & Air Status discussion internal	X	
	Kyle J Lucas	9/22/2022	0.50	Project Management Activities & Air Status discussion internal		X
15	Kyle J Lucas	9/27/2022	0.50	Attending meetings (air permitting and weekly project)	X	
	Kyle J Lucas	9/27/2022	0.50	Attending meetings (air permitting and weekly project)		X
16	Kyle J Lucas	10/3/2022	2.00	Project Management Activities	X	
	Kyle J Lucas	10/3/2022	1.00	Project Management Activities		X
17	Kyle J Lucas	10/20/2022	0.50	Project Management Activities	X	
	Kyle J Lucas	10/20/2022	0.50	Project Management Activities		X
18	Kyle J Lucas	10/25/2022	0.50	Project Management Activities	X	
	Kyle J Lucas	10/25/2022	0.50	Project Management Activities		X
19	Kyle J Lucas	10/29/2022	0.25	Project Management Activities	X	
	Kyle J Lucas	10/29/2022	0.25	Project Management Activities		X
20	Kyle J Lucas	11/10/2022	1.00	Project Management Activities	X	
	Kyle J Lucas	11/10/2022	2.00	Project Management Activities		X
30	Dusty Miller	9/13/2022	2.00	Double Check Phase II, Help sort out past contract tasks, Documentation archive	X	
	Dusty Miller	9/13/2022	3.00	Double Check Phase II, Help sort out past contract tasks, Documentation archive		X
31	Dusty Miller	10/4/2022	1.50	Contract tasks/Invoice Support & Project Mangement Discussion	X	
	Dusty Miller	10/4/2022	2.00	Contract tasks/Invoice Support & Project Mangement Discussion		X
32	Dusty Miller	10/12/2022	0.25	Contract tasks/Invoice Support	X	
	Dusty Miller	10/12/2022	0.25	Contract tasks/Invoice Support		X
33	Dusty Miller	10/28/2022	0.25	Contract tasks/Invoice Support	X	
	Dusty Miller	10/28/2022	1.00	Contract tasks/Invoice Support		X
34	Dusty Miller	10/29/2022	0.50	Contract tasks/Invoice Support	X	
	Dusty Miller	10/29/2022	1.00	Contract tasks/Invoice Support		X
35	Stephanie Parsons	10/13/2022	1.50	General accounting and invoicing	X	
	Stephanie Parsons	10/13/2022	1.50	General accounting and invoicing		X
36	Stephanie Parsons	10/20/2022	1.00	General accounting and invoicing	X	
	Stephanie Parsons	10/20/2022	1.00	General accounting and invoicing		X
37	Stephanie Parsons	11/11/2022	0.50	General accounting and invoicing	X	
	Stephanie Parsons	11/11/2022	0.50	General accounting and invoicing		X
38	Michael J Rinkol	9/2/2022	1.00	Attending meetings (air permitting and weekly project)	X	
				Attending meetings (air permitting and weekly project) / Respond to email about construction ambient monitoring		X
39	Michael J Rinkol	9/6/2022	2.00	Attending meetings (air permitting and weekly project)	X	
40	Michael J Rinkol	9/13/2022	1.00	Attending meetings (air permitting and weekly project)	X	
41	Michael J Rinkol	9/14/2022	1.00	Daily summary description confirmation for accounting purposes	X	
42	Michael J Rinkol	9/27/2022	0.50	Attending meetings (air permitting and weekly project)	X	
	Michael J Rinkol	9/27/2022	0.50	Attending meetings (air permitting and weekly project)		X
	Total		59.25			

**Attachment #1-c**

Attachment #1-c. Parcelling, ALTA Survey Fee and Title Insurance list

<b>Subject</b>	<b>Company</b>	<b>Date</b>	<b>Invoice No.</b>	<b>Amount [USD]</b>
Parcelling and ALTA Survey	TG Engineers	04-Jan-22	GUP-21-01-01	12,342.05
Parcelling and ALTA Survey	TG Engineers	29-Apr-22	GUP-21-01-02	19,394.65
Parcelling and ALTA Survey	TG Engineers	30-Nov-22	GUP-21-01-03	14,968.30
Title Insurance	Title Guaranty of Guam	31-Mar-23	Email Confirmation	1,070,432.00
<b>Total</b>				<b>1,117,137.00</b>

**REVISED**

**INVOICE TO:**  
 Guam Ukudu Power LLC  
 SOMA Building, Unit 102  
 655 South Marine Corps Drive  
 Tamuning, Guam 96913

**ATTENTION TO:**  
 Mr. Jaehyun Cho, Senior Manager  
 Phone: (671) 788-9370  
 Email: jaehyun.cho@guamup.com  
 CC: jdamian@calvofisher.com


INVOICE NUMBER GUP-21-01-01	INVOICE DATE 01/04/2022
PERIOD ENDING DATE 12/31/2021	

**PROJECT TITLE:** Guam Ukudu Power, LLC, Piti Project Site, ALTA/NSPS Land Title Survey  
**CONTRACT NUMBER:**  
**SCOPE OF WORK:** ALTA Survey & Mapping  
**TG ENGINEERS JOB NUMBER:** GUP-21-01-70


TASK	DESCRIPTION	FEE	PERCENT COMPLETE	PROGRESS BILLING		
				TO DATE	PREVIOUS	THIS PERIOD
1.0	ALTA/NSPS Survey & Mapping	\$ 23,800.00	35.0%	\$ 8,330.00	\$ -	\$ 8,330.00
2.0	Parceling Survey Map	\$ 9,700.00	35.0%	\$ 3,395.00	\$ -	\$ 3,395.00
	GRT 5.263%	\$ 1,763.00	35.0%	\$ 617.05	\$ -	\$ 617.05
<b>SUBTOTAL</b>		<b>\$ 35,263.00</b>	<b>35.0%</b>	<b>\$ 12,342.05</b>	<b>\$ -</b>	<b>\$ 12,342.05</b>
<b>TOTAL DUE</b>					<b>35% Down Payment</b>	<b>\$ 12,342.05</b>

Si Yu'os Ma'ase,  
 TG Engineers, PC


Prepared by:

  
 Rhennay L. Olter  
 Accounts Receivable

Approved by:

  
 Tor Gudmundsen - PE  
 President  
 1.04.22

Reviewed by:

 01/04/22  
 Shirley Itliong





**INVOICE TO:**  
 Guam Ukudu Power LLC  
 SOMA Building, Unit 102  
 655 South Marine Corps Drive  
 Tamuning, Guam 96913

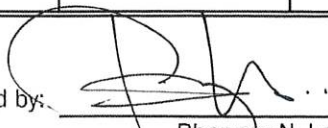
**ATTENTION TO:**  
 Mr. Jaehyun Cho, Senior Manager  
 Phone: (671) 788-9370  
 Email: [jaehyun.cho@guamup.com](mailto:jaehyun.cho@guamup.com)  
 CC: [jdaman@calvofisher.com](mailto:jdaman@calvofisher.com)


<b>INVOICE NUMBER</b> GUP-21-01-03	<b>INVOICE DATE</b> 11/30/2022
<b>PERIOD ENDING DATE</b> 11/30/2022	

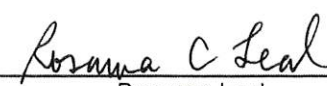
**PROJECT TITLE:** Guam Ukudu Power, LLC, Piti Project Site, ALTA/NSPS Land Title Survey  
**CONTRACT NUMBER:**  
**SCOPE OF WORK:** ALTA Survey & Mapping  
**TG ENGINEERS JOB NUMBER:** GUP-21-01-70

Item	DESCRIPTION	FEE	PERCENT COMPLETE	PROGRESS BILLING		
				TO DATE	PREVIOUS	THIS PERIOD
1.0	ALTA/NSPS Survey & Mapping	\$ 23,800.00	100.0%	\$ 23,800.00	\$ 21,420.00	\$ 2,380.00
2.0	Parceling Survey Map	\$ 9,700.00	100.0%	\$ 9,700.00	\$ 8,730.00	\$ 970.00
3.0	Lot 257 Easement, ALTA/NSPS Land Title Survey	\$ 10,870.00	100.0%	\$ 10,870.00	\$ -	\$ 10,870.00
	GRT 5.263%	\$ 2,335.00	100.0%	\$ 2,335.00	\$ 1,586.70	\$ 748.30
SUBTOTAL		\$ 46,705.00	100.0%	\$ 46,705.00	\$ 31,736.70	\$ 14,968.30
TOTAL DUE						\$ 14,968.30

Si Yu'os Ma'ase,  
 TG Engineers, PC

Prepared by:   
 Rhennay N. Leben  
 A/R Specialist

Approved by:   
 Tbr Gudmundsen - PE  
 President 11.30.22

Reviewed by:   
 Rosanna Leal  
 Accountant

*Rec'd: Cathy Manglong 12-7-22*



Jaehyun Cho <jaehyun.cho@guamup.com>

**FW: Guam Ukudu - Cancellation of Reserve Facility/Release of Piti Parcel**

2개의 메일

Janalynn C. Damian <jdamian@calvofisher.com>

2023년 3월 31일 오전 11:28

받는사람: Jaehyun Cho <jaehyun.cho@guamup.com>

참조: "Michael A. Pangelinan" <mpangelinan@calvofisher.com>, Rodney Jacob <rjacob@calvofisher.com>, Jade Gogo <jgogo@calvofisher.com>

Hi Jae,

Per Ryan's email below, total title costs that can be allocated to the Piti parcel is \$1,070,432.

Let me know if you have any questions.

Jan

Janalynn Cruz Damian

CALVO FISHER & JACOB LLP  
GUAM SAIPAN SAN FRANCISCO

259 Martyr Street, Suite 100

Hagåtña, Guam 96910

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**From:** Ryan Mummert <[ryan@titleguam.com](mailto:ryan@titleguam.com)>

**Sent:** Friday, March 31, 2023 11:14 AM

**To:** Janalynn C. Damian <[jdamian@calvofisher.com](mailto:jdamian@calvofisher.com)>

**Cc:** 'Rodney Jacob' <[rjacob@calvofisher.com](mailto:rjacob@calvofisher.com)>; 'Michael A. Pangelinan' <[mpangelinan@calvofisher.com](mailto:mpangelinan@calvofisher.com)>; Michaela Pangilinan <[michaela@titleguam.com](mailto:michaela@titleguam.com)>

**Subject:** RE: Guam Ukudu - Cancellation of Reserve Facility/Release of Piti Parcel

Hi Jan,

Sorry I missed this. Total premium, less the stated liability for the Piti property would have been \$2,727,841.00, a difference of \$1,070,432.00.

Loan Liability: \$550,722,012

ALTA Loan Policy: \$930,387

Title Examination: \$300

Site Inspection Fee: \$500

Endorsement Fees: \$419,624

Recording Fee: \$1,377,030

Total Estimated Fees: \$2,727,841

I've attached the original statement for your reference. There were no endorsements of significance specific to the Piti property that added any additional cost beyond the increase in liability.

Ryan

---

**From:** Janalynn C. Damian <[jd Damian@calvofisher.com](mailto:jd Damian@calvofisher.com)>  
**Sent:** Thursday, March 30, 2023 7:33 PM  
**To:** Ryan Mummert <[ryan@titleguam.com](mailto:ryan@titleguam.com)>  
**Cc:** 'Rodney Jacob' <[rjacob@calvofisher.com](mailto:rjacob@calvofisher.com)>; 'Michael A. Pangelinan' <[mpangelinan@calvofisher.com](mailto:mpangelinan@calvofisher.com)>; Michaela Pangilinan <[michaela@titleguam.com](mailto:michaela@titleguam.com)>  
**Subject:** RE: Guam Ukudu - Cancellation of Reserve Facility/Release of Piti Parcel

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Hi Ryan,

Just a follow-up on the below.

Thanks.

Jan

**Janalynn Cruz Damian**

**CALVO FISHER & JACOB LLP**  
GUAM SAIPAN SAN FRANCISCO

**259 Martyr Street, Suite 100**

**Hagåtña, Guam 96910**

**e: [jdamian@calvofisher.com](mailto:jdamian@calvofisher.com)**

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**From:** Janalynn C. Damian <[jdamian@calvofisher.com](mailto:jdamian@calvofisher.com)>

**Sent:** Wednesday, March 22, 2023 11:48 AM

**To:** 'Ryan Mummert' <[ryan@titleguam.com](mailto:ryan@titleguam.com)>

**Cc:** 'Rodney Jacob' <[rjacob@calvofisher.com](mailto:rjacob@calvofisher.com)>; 'Michael A. Pangelinan' <[mpangelinan@calvofisher.com](mailto:mpangelinan@calvofisher.com)>; 'Michaela Pangilinan' <[michaela@titleguam.com](mailto:michaela@titleguam.com)>

**Subject:** Guam Ukudu - Cancellation of Reserve Facility/Release of Piti Parcel

Hi Ryan,

As I mentioned when we spoke last week, GPA has canceled the Reserve Facility in Piti from the project scope. We are working on amending certain transaction documents to reflect the cancellation (including partial releases of the first and second mortgages as to the Piti parcel). In addition, GUP is reviewing closing and other costs to see what can be allocated to the Reserve Facility/Piti Parcel.

With regard to title closing costs, can you let me know which of the costs (endorsements, premium, etc.) can be allocated specifically to the Piti parcel? GUP has advised that of the \$611,913,346.71 loan amount, 10% or \$61,191,335 was for the Reserve Facility.

Let me know if you need any other information.

Thanks.

Jan

Janalynn Cruz Damian

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 **GUP - SS.pdf**  
37K

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**Jaehyun Cho** <[jaehyun.cho@guamup.com](mailto:jaehyun.cho@guamup.com)>  
받는사람: Sunggoo Son <[sunggoo.son@guamup.com](mailto:sunggoo.son@guamup.com)>

2023년 3월 31일 오후 1:24

차장님, Title Insurance RF portion은  
[받은메일 숨김]

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 **GUP - SS.pdf**  
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Total Summary of CEMS Installation

No	System	Item	Unit	Q'ty	On/Off	Price Amount/unit (USD)	Price Amount (USD)	
<b>1</b>	<b>Direct Cost</b>							
<b>1)</b>	<b>Material Supply</b>							
A	CEMS		EA	1	Off	622,000	622,000	
<b>Sub total (Material Supply)</b>							622,000	
<b>2)</b>	<b>Constriction Work</b>							
A	Construction Works		Lot	1	On	192,809	192,809	
<b>Sub total (Constriction Work)</b>							192,809	
<b>3)</b>	<b>Engineering Work</b>							
A	Engineeiring work (by Doosan Enerbility)	DE Engineering = 40 hours	MH	40	Off	110	4,400	
<b>Sub total_Engineering Work</b>							4,400	
<b>4)</b>	<b>Other Work</b>							
A	Ocean Transportaion and Insurance	Based on 1 Container (20 ft)	Set	1	Off	60,653	60,653	
B	Inland Transportaion	50% of Ocean Transportation Fee	Set	1	On	30,326	30,326	
C	Insurance	FOB amount * 110% * 0.02%	Set	1	Off	137	137	
D	Use Tax	4% of CIF value	Set	1	On	27,312	27,312	
E	Quality Control	1 engineer, 2 Day (8 hours/Day) = 16 hours	MH	16	Off	120	1,920	
F	Project Management Control	1 PM, 5 Day (40 hours/Week) = 40 horus	MH	40	On	120	4,800	
G	Technical Advisor	1 engineer, 24 Day (8 hours/Day) = 176 hours	Set	24	On	1,225	29,400	
<b>Sub total_Other Work</b>							154,548	
<b>Sub total_Direct Cost</b>					1) +2) +3) +4)		973,757	
<b>2</b>	<b>Indirect Cost (Including Overhead &amp; Profit)</b>							
1)	A	Indirect Cost (Including Overhead & Profit)		10% of Direct Cost	Set	1	On	97,376
<b>Sub Total_Indirect Cost</b>							97,376	
<b>Grand Total (without GRT)</b>							1,071,132	
<b>Grand Total (5% GRT Included)</b>							1,090,233	

**1) Material Supply**

Minus Option

20	CEMS package	3 units	- 622,000	Base : Included
----	--------------	---------	-----------	-----------------

**2) Construction Summary of Cost Impact status for CEMS provision**

Project Ukudu Power Plant

Cost

[Price Unit : USD]

No.	Work PKG	Calculated Price				Remark
		Base Price		Final Price considering the extra increase rate		
		Construction Price (Base) - (a)	Basis of Unit price, amount	Extra increase rate for Labor wage increase - (b)	Converted amount by applying extra increase rate - (c= a x b)	
1	Electrical and Instrumentation Work	-	- The direct unit price and Indirect cost rate in "Electrical and Instrumentation Work" Subcontract are applied.	112.20%	192,809	
<b>Total</b>					<b>192,809</b>	

**Note**

1) "Extra increase rate for Labor wage" is calculated as considering the Prevailing Wage Rates for Guam provided by [Foreign Labor Certification Data Center]. The increase rate of mean value for all job

**3) Engineering (40MH)**

5 Sets Drawing Issued

GUP-XR01-P1HSY-121113	HRSG_SPEC. & DRAWING FOR CEMS	FI
GUP-XR01-P1HSY-121193	HRSG_SYSTEM CONFIGURATION FOR CEMS	FI
GUP-XR01-P1HSY-121194	HRSG_PANEL LAYOUT DRAWING FOR CEMS	FI
GUP-XR01-P1HSY-121195	HRSG_SHELTER LAYOUT DRAWING FOR CEMS	FI
GUP-XR01-P1HSY-121196	HMI GRAPHIC FOR CEMS	FI

Total Summary of Fire Water Storage Tank Installation Works

No	System	Item	Unit	Q'ty	On/Off	Price Amount/unit (USD)	Price Amount (USD)
<b>1 Direct Cost</b>							
<b>1) Material Supply</b>							
A	Tank Plate		EA	1	Off	181,628	181,628
B	Accessories		EA	1	Off	10,833	10,833
<b>Sub total (Material Supply)</b>							192,462
<b>2) Constriction Work</b>							
A	Construction Works		Lot	1	On	1,179,823	1,179,823
<b>Sub total_(Constriction Work)</b>							1,179,823
<b>3) Engineering Work</b>							
A	Engineeing work (by Doosan Enerbility)	DE Engineering = 520 hours	MH	520	Off	110	57,200
<b>Sub total_Engineering Work</b>							57,200
<b>4) Other Work</b>							
A	Ocean Transportaion and Insurance	Based on Bulk	Set	1	Off	36,420	36,420
B	Inland Transportaion	50% of Ocean Transportation Fee	Set	1	On	18,210	18,210
C	Insurance	FOB amount * 110% * 0.02%	Set	1	Off	42	42
D	Use Tax	4% of CIF value	Set	1	On	9,157	9,157
E	Quality Control	1 engineer, 2 Day (8 hours/Day) = 16 hours	MH	16	Off	120	1,920
F	Project Management Control	1 PM, 10 Day (8 hours/Day) = 80 horus	MH	80	On	120	9,600
<b>Sub total_Other Work</b>							75,349
<b>Sub total_Direct Cost</b>						1) +2) +3) +4)	1,504,834
<b>2 Indirect Cost (Including Overhead &amp; Profit)</b>							
1)	A	Indirect Cost (Including Overhead & Profit)		Set	1	On	150,483
<b>Sub Total_Indirect Cost</b>							150,483
<b>Grand Total (without GRT)</b>							1,655,317
<b>Grand Total (5% GRT Included)</b>							1,723,681



### 1) Material Supply

Description	Price (KRW)	Price (USD)
Tank Plate	217,953,819	181,628.18
Accessories	13,000,000	10,833.33
Total	230,953,819	192,462

### 2) Construction Summary of Fire Water Storage Tank Provision

Project : Ukudu Power Plant

#### Cost

[Price Unit : USD]

No.	Work PKG	Calculated Price					
		Base Price		Final Price considering the extra increase rate			
		Construction Price (Base) - (a)	Basis of Unit price, amount	Extra increase rate for Labor wage increase - (b1)	Extra increase rate for Material cost increase - (b2)	Converted amount by applying extra increase rate - (c= a x b1 or b2)	Remark
1	Mechanical, E&I Work	895,728	- The direct unit price and Indirect cost rate in "Mechanical Work" and "Electrical and Instrumentation Work" Subcontract are applied.	112.20%		1,005,007	
2	Civil Work	137,469	- The direct unit price and Indirect cost rate in "Civil and Building Work" Subcontract are applied.			174,816	
(1)	Material Cost	94,384		134.0%		126,475	
(2)	Labor, Equipment Cost	43,085			112.2%	48,341	
	<b>Total</b>	<b>1,033,197</b>				<b>1,179,823</b>	

#### Note

- 1) "Extra increase rate for Labor wage" is calculated as considering the Prevailing Wage Rates for Guam provided by [Foreign Labor Certification Data Center]. The increase
- 2) "Extra increase rate for Material cost increase" is calculated as considering the actual purchased price of major materials for civil work. The increase rate of mean value for

### 3) Engineering (520MH)

## Total Summary of Implementation of Impervious Pavement inside the power plant

No	System	Item	Unit	Q'ty	On/Off	Price Amount/unit (USD)	Price Amount (USD)	
<b>1</b>	<b>Direct Cost</b>							
<b>1)</b>	<b>Material Supply</b>							
A	Included in the Construction Work					-	-	
<b>Sub total (Material Supply)</b>								-
<b>2)</b>	<b>Construction Work</b>							
A	Construction		Lot	1	On	850,434	850,434	
<b>Sub total_(Constrction Work)</b>								850,434
<b>3)</b>	<b>Engineering Work</b>							
A	Engineeirng work (by Doosan Enerbility)		DE Engineering = 400 hours	MH	400	Off	110	44,000
<b>Sub total_Engineering Work</b>								44,000
<b>4)</b>	<b>Other Work</b>							
A	Ocean Transportaion and Insurance		Based on 1 Container (20 ft)	Set	1	Off	-	-
B	Inland Transportaion		50% of Ocean Transportation Fee	Set	1	On	-	-
C	Insurance		FOB amount * 110% * 0.02%	Set	1	Off	-	-
D	Use Tax		4% of CIF value	Set	1	On	-	-
E	Quality Control		1 engineer, 50 Day (8 hours/Day) = 40 hours	MH	40	Off	120	4,800
F	Project Management Control		1 PM, 10 Day (8 hours/Day) = 80 horus	MH	80	On	120	9,600
<b>Sub total_Other Work</b>								14,400
<b>Sub total_Direct Cost</b>					1) +2) +3) +4)			908,834
<b>2</b>	<b>Indirect Cost (Including Overhead &amp; Profit)</b>							
1)	A	Indirect Cost (Including Overhead & Profit)		Set	1	On		90,883
<b>Sub Total_Indirect Cost</b>								90,883
<b>Grand Total (without GRT)</b>								999,717
<b>Grand Total (5% GRT Applied)</b>								<b>1,047,263</b>

**1) Material Supply**

N/A

**2) Construction Summary of Storm Drain Design Change**

[Price Unit : USD]

No.	Work PKG	Calculated Price					
		Base Price		Final Price considering the extra increase rate			
		Construction Price (Base) - (a)	Basis of Unit price, amount	Extra increase rate for Labor wage increase - (b1)	Extra increase rate for Material cost increase - (b2)	Converted amount by applying extra increase rate - (c= a x b1 or b2)	Remark
1	Civil Work	697,396	- The direct unit price and Indirect cost rate in "Civil and Building Work" Subcontract are applied.			850,434	
(1)	Material Cost	311,724		134.0%		417,710	
(2)	Labor, Equipment Cost	385,671			112.2%	432,723	
	<b>Total</b>	<b>697,396</b>				<b>850,434</b>	

**Note**

1) "Extra increase rate for Labor wage" is calculated as considering the Prevailing Wage Rates for Guam provided by [Foreign Labor Certification Data Center]. The increase rate of mean value for all job categories's hourly wage between effective value on Jun. 2021 (Construction Subcontract timing) and effective value on Mar. 2023 (the present) is 112.2%.

2) "Extra increase rate for Material cost increase" is calculated as considering the actual purchased price of major materials for civil work. The increase rate of mean value for major materials between actual purchased price value on Jun. 2021 (Construction Subcontract timing) and actual purchased price value on Aug. 2022 is 134.0%.

**3) Engineering (400MH)**

## Total Summary of Transportation Permit Delay

No.	Description	Sub-Vendor	Cost (USD)	Remark	
1	Construction Cost Impact due to HRSO O-section Delivery Delay				
1)	Stand by fee for Manpower	Gaum Advance	1,763,794		
2)	Stand by fee for Equipment (Crane)	Gaum Advance	957,841		
3)	Indirect Cost (15%)	DOOSAN	408,245		
	Sub-total		3,129,880		
2	Recovery Cost for Delayed Construction, Commissioning				
1)	Recovery Plan for the Delayed Construction Schedule	Gaum Advance	2,003,416		
2)	Recovery Plan for the Delayed Commissioning Schedule	DOOSAN	906,390		
3)	Indirect Cost (15%)	DOOSAN	436,471		
	Sub-total		3,346,277		
3	Transportation Cost Impact				
1)	Temporary bridge Mob./Demob. and Storage	Smithbridge	699,300	Temporary Bridge is not required but Doosan performed the related works(Mob., Demob., Simulation, design and etc.) according to DPW's request	
2)	Temporary Bridge Installation Plan for 7 bridges	M&N	24,000		
		TGE	231,145		
3)	Temporary Bridge Installation Plan for 2 bridges	TGE	96,600		
4)	Temporary Bridge Installation Plan for Culvert #19	TGE	36,010		
5)	Temporary Bridge Engineering Services (Sept - Nov, 2022)	TGE	76,436		
6)	Temporary Bridge Engineering Services (Dec 2022 – Jan 2023)	TGE	56,357		
7)	NDE Test for 2 culverts and 1 bridge (Matgue, Asan Marina Drive 2 Culvert & Fonte Bridge)	Oyo	19,298		Additional request from DPW
		dooall	27,615		Additional request from DPW
8)	Special Inspection Report for 9 bridges and culverts	M&N	21,000		Additional request from DPW
9)	PUI Additional Insurance Premium (Third Party Public Liability Insurance)	PUI	175,000	Coverage: 5M US Dollar	
10)	Indirect Cost (25%)	DOOSAN	365,690	Due to the markup for subcontractors, the indirect cost is increased than other section.	
	Sub-total		1,828,451		
4	Doosan Insurance Cost Impact				
1)	Additional Insurance Premium (Third Party Public Liability Insurance)	AM Insurance	512,500	Coverage: Add. 20M US Dollar	
2)	Cancellation Fee for Previous Joined Insurance	AB Risk Solutions	100,000		
3)	Indirect Cost (15%)	DOOSAN	91,875		
	Sub-total		704,375		
	Total Amount		9,008,982		
	<b>Total Amount including GRT(5%)*</b>		<b>9,459,432</b>		

\* This cost is a combination of actual cost and projected cost, so it can be adjustable according to actual cost.

## 1) Summary of Construction Cost Impact due to HRSG O-section Delivery Delay

**Project** Ukudu Power Plant (Onshore)

**Package** Mechanical Work

### Cost

S/N	Category	Description	Price	Remarks
<b>1</b>	<b>Cost</b>			
<b>1.1</b>	<b>Impact cost due to HRSG O-section delivery delay</b>			
1.1.1	Direct Cost	Cost for Material, Labour, Equipment	2,110,612	
1.1.2	Indirect Cost	Cost for Indirect Labour, Tool & Consumable, Construction Power & Water, Site Temporary Facility (including Camp, Temporary Warehouse and etc.), Insurance, Taxation, EHS Control, Any Others Field Expenses, etc.	432,887	20.51% of Direct Cost, The fixed rate is applied same as Mechanical Work Subcontract.
1.1.3	Overhead & Profit	Cost for Overhead & Profit	178,136	8.44%
<b>Total</b>			<b>2,721,635</b>	

For Reference

	Manpower	Incl. Direct Cost, Indirect Cost, Overhead & Profit	1,763,794	
	Equipment	Incl. Direct Cost, Indirect Cost, Overhead & Profit	957,841	
	Total		2,721,635	

## 2) Summary Recovery Cost for Delayed Construction, Commissioning

No.	HRSG		Remakr
	Description	Price	
1	Recovery Cost for Delayed Construction	2,003,416	- Overtime 2 hours / day during 2M
2	Recovery Cost for Delayed Commissioning	906,390	- Korean increasing : 21MM - Gloable Staff Increasing : 115MM
<b>Total</b>		<b>2,909,806</b>	

3, 4) Summary of Transportation Cost Impact

Date: 02/07/2023

3 Transportation Cost Impact																																																																																																			
1) Temporary bridge Mob./Demob. and Storage	Smithbridge	699,300	<p><b>RENTAL COST FOR BRIDGES</b>                      Option 1: Four standard bridges as requires by DPW, \$385,000 (Rental period is 30 September to 30 April 2022)                      Additional months of rental per month: \$55,000 per month</p> <p><b>SHIPPING COSTS</b>                      Option 1 - Shipping to Guam: \$145,000</p> <p><b>STORAGE FEES</b>                      Option 1 Storage for 7 ea. 40' containers: \$1,400 per month, or \$9,800 for the 7-month base period (transportation included in this rent).                      Return Shipping from Guam to Port of Origin: \$1BD (ROM would be same as to Guam above x 10% for escalation assumption)                      Note: It is too early to get an exact quote on the return trip as pricing changes a lot due to unstable fuel pricing.</p> <p><b>STORAGE FEES</b>                      Option 1 Storage for 7 ea. 40' containers: \$1,400 per month, or \$9,800 for the 7-month base period (transportation included in this rent).</p>																																																																																																
2) Temporary bridge installation plan for 7 bridges	M&N	24,000	<p>Special Inspections Reports \$21,000                      Evaluation of 22 Additional Minor Structures \$25,000                      Temporary Bridge Foundations \$24,000</p> <p>Sub Total \$70,000                      Guam Gross Receipts Tax (GRT) (@ 5.263%) \$3,684</p> <p><b>Total Lump-Sum Fee \$73,684</b></p>																																																																																																
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<b>Total Amount Requested</b>	<b>\$27,615.00</b>																																																																																																		
8) Special Inspection Report for 9 bridges and culverts	M&N	21,000	<p>Special Inspections Reports \$21,000                      Evaluation of 22 Additional Minor Structures \$25,000                      Temporary Bridge Foundations \$24,000</p> <p>Sub Total \$70,000                      Guam Gross Receipts Tax (GRT) (@ 5.263%) \$3,684</p> <p><b>Total Lump-Sum Fee \$73,684</b></p>																																																																																																
9) PUI Additional Insurance Premium (Third Party Public Liability Insurance)	PUI	175,000	<table border="1"> <thead> <tr> <th>Reference - P.O. Number</th> <th>Terms</th> <th>Balance Due This Invoice</th> <th>Due Date</th> </tr> </thead> <tbody> <tr> <td></td> <td>Due on receipt</td> <td>\$183,750.00</td> <td>1/18/2023</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Item Code</th> <th>Description</th> <th>Qty.</th> <th>UIM</th> <th>Price Each</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>100100</td> <td>Commercial General Liability &amp; Excess Automobile Liability Insurance</td> <td>1.00</td> <td></td> <td>175,000.00</td> <td>175,000.00</td> </tr> <tr> <td>100404</td> <td>Gross receipts tax 5%</td> <td>1.00</td> <td></td> <td>8,750.00</td> <td>8,750.00</td> </tr> </tbody> </table>	Reference - P.O. Number	Terms	Balance Due This Invoice	Due Date		Due on receipt	\$183,750.00	1/18/2023	Item Code	Description	Qty.	UIM	Price Each	Amount	100100	Commercial General Liability & Excess Automobile Liability Insurance	1.00		175,000.00	175,000.00	100404	Gross receipts tax 5%	1.00		8,750.00	8,750.00																																																																						
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10) Indirect Cost (25%)	DOOSAN	365,690																																																																																																	
Sub-total		1,828,451																																																																																																	
4 Doosan Insurance Cost Impact																																																																																																			
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2) Cancellation Fee for Previous Joined Insurance	AB Risk Solutions	100,000	<table border="1"> <thead> <tr> <th>Item #</th> <th>Trans Eff Date</th> <th>Due Date/Trans</th> <th>Description</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>7762</td> <td>1/21/2023</td> <td>1/2/2023 LEV</td> <td>Gov't 2% Levy</td> <td>90,000.00</td> </tr> <tr> <td>7762</td> <td>1/21/2023</td> <td>1/2/2023 NEWB</td> <td>New General Liability Effective 1/21/2023</td> <td>90,000.00</td> </tr> <tr> <td colspan="4"><b>Total Invoice Balance:</b></td> <td><b>90,999.99</b></td> </tr> </tbody> </table>	Item #	Trans Eff Date	Due Date/Trans	Description	Amount	7762	1/21/2023	1/2/2023 LEV	Gov't 2% Levy	90,000.00	7762	1/21/2023	1/2/2023 NEWB	New General Liability Effective 1/21/2023	90,000.00	<b>Total Invoice Balance:</b>				<b>90,999.99</b>																																																																												
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<b>Total Invoice Balance:</b>				<b>90,999.99</b>																																																																																															
3) Indirect Cost (15%)	DOOSAN	91,875																																																																																																	
Sub-total		704,375																																																																																																	
Total Amount		2,532,826																																																																																																	
<b>Total Amount including GRT (5%)*</b>		<b>2,659,467</b>																																																																																																	

## Total Summary of Fuel line Cost Impact

### 1. Cost

No.	Description	Sub-Vendor	Cost (USD)	Remark
1	Standby Cost due to Navy Fuel Transfer Operation and Projectile Observation			
1)	Standby cost due to Navy fuel transfer operation	Gaum Advance	67,508	could not be worked
2)	Standby cost due to Projectile observation	Gaum Advance	21,220	could not be worked
3)	Standby cost due to shortage of archaeologist deployment	Gaum Advance	32,454	
4)	Indirect Cost (15%)	DOOSAN	18,177	
	Sub-total		139,359	
2	Additionally Deployed Resource Cost for Recovery of the Actual Achieved Progress			
1)	Resource cost for Recovery of the Actual Achieved Progress	Gaum Advance	4,784,042	
2)	Indirect Cost (15%)	DOOSAN	717,606	
	Sub-total		5,501,648	
	Total Amount		5,641,008	
	<b>Total Amount including GRT(5%)*</b>		<b>5,923,058</b>	

\* This cost is a combination of actual cost and projected cost, so it can be adjustable according to actual cost.

### 2. Time

No.	Description	Days	Remark
1	Standby duration due to Navy fuel transfer operation		
1)	Duration of impacted time which cause the delay of fuel pipeline construction progress	51	
	Sub-total		51
2	Standby duration due to Projectile observation		
1)	Duration of impacted time which cause the delay of fuel pipeline construction progress	17	Actual duration of impacted days are 27 days. The 10 days of 27 days are same date with "S/N 1 Standby duration due to Navy fuel transfer operation". So, duplicated days are excluded.
	Sub-total		17
3	Standby duration due to shortage of archaeologist deployment		
1)	Duration of impacted time which cause the delay of fuel pipeline construction progress	21	"Standby duration due to Navy fuel transfer operation" is excluded. Only "Standby duration due to shortage of archaeologist deployment" is counted.
	Sub-total		21
	Total Impacted Days		89

## Summary of Cost, Time Impact status in Fuel Pipeline Area

Project Ukudu Power Plant (Onshore)

Package Fuel Pipe line EPC Work

### 1. Cost

S/N	Category	Description	Price						Total	Remarks	
			Civil			Mech.					
			2022	2023	Sub-total	2022	2023	Sub-total			
<b>1</b>	<b>Cost</b>										
<b>1.1</b>	<b>Standby cost due to Navy fuel transfer operation, Projectile observation and shortage of archaeologist deployment</b>										
<b>1.1a</b>	<b>Standby cost due to Navy fuel transfer operation</b>										
1.1a.1	Direct Cost	Cost for Material, Labour, Equipment	36,784	15,568	52,352				-	52,352	
1.1a.2	Indirect Cost	Cost for Indirect Labour, Tool & Consumable, Construction Power & Water, Site Temporary Facility (including Camp, Temporary Warehouse and etc.), Insurance, Taxation, EHS Control, Any Others Field Expenses, etc.	7,544	3,193	10,737				-	10,737	20.51% of Direct Cost, The fixed rate is applied same as Mechanical Work Subcontract.
1.1a.3	Overhead & Profit	Cost for Overhead & Profit	3,105	1,314	4,419				-	4,419	8.44%
<b>Sum</b>			<b>47,433</b>	<b>20,075</b>	<b>67,508</b>				-	<b>67,508</b>	
1.1a.4	GRT	Gross Receipts Tax	2,372	1,004	3,375				-	3,375	5.00% of S/N 1.1a Sum
<b>Sub-Total - (A)</b>			<b>49,805</b>	<b>21,079</b>	<b>70,883</b>				-	<b>70,883</b>	
<b>1.1b</b>	<b>Standby cost due to Projectile observation</b>										
1.1b.1	Direct Cost	Cost for Material, Labour, Equipment	16,456		16,456				-	16,456	
1.1b.2	Indirect Cost	Cost for Indirect Labour, Tool & Consumable, Construction Power & Water, Site Temporary Facility (including Camp, Temporary Warehouse and etc.), Insurance, Taxation, EHS Control, Any Others Field Expenses, etc.	3,375		3,375				-	3,375	20.51% of Direct Cost, The fixed rate is applied same as Mechanical Work Subcontract.
1.1b.3	Overhead & Profit	Cost for Overhead & Profit	1,389		1,389				-	1,389	8.44%
<b>Sum</b>			<b>21,220</b>	<b>-</b>	<b>21,220</b>				-	<b>21,220</b>	
1.1b.4	GRT	Gross Receipts Tax	1,061		1,061				-	1,061	5.00% of S/N 1.1b Sum
<b>Sub-Total - (B)</b>			<b>22,281</b>	<b>-</b>	<b>22,281</b>				-	<b>22,281</b>	
<b>1.1c</b>	<b>Standby cost due to shortage of archaeologist deployment</b>										
1.1c.1	Direct Cost	Cost for Material, Labour, Equipment	12,584	12,584	25,168				-	25,168	
1.1c.2	Indirect Cost	Cost for Indirect Labour, Tool & Consumable, Construction Power & Water, Site Temporary Facility (including Camp, Temporary Warehouse and etc.), Insurance, Taxation, EHS Control, Any Others Field Expenses, etc.	2,581	2,581	5,162				-	5,162	20.51% of Direct Cost, The fixed rate is applied same as Mechanical Work Subcontract.
1.1c.3	Overhead & Profit	Cost for Overhead & Profit	1,062	1,062	2,124				-	2,124	8.44%
<b>Sum</b>			<b>16,227</b>	<b>16,227</b>	<b>32,454</b>				-	<b>32,454</b>	
1.1c.4	GRT	Gross Receipts Tax	811	811	1,623				-	1,623	5.00% of S/N 1.1c Sum
<b>Sub-Total - (C)</b>			<b>17,038</b>	<b>17,038</b>	<b>34,077</b>				-	<b>34,077</b>	
<b>Total - (D=A+B+C)</b>			<b>89,124</b>	<b>38,117</b>	<b>127,241</b>				-	<b>127,241</b>	



S/N	Category	Description	Price						Total	Remarks
			Civil			Mech.				
			2022	2023	Sub-total	2022	2023	Sub-total		
<b>1.2</b>	<b>Additionally deployed resource cost for recovery of the actual achieved progress</b>									
1.2.1	Direct Cost	Cost for Material, Labour, Equipment	138,424	1,128,688	1,267,112	618,469	1,824,417	2,442,886	3,709,998	
1.2.2	Indirect Cost	Cost for Indirect Labour, Tool & Consumable, Construction Power & Water, Site Temporary Facility (including Camp, Temporary Warehouse and etc.), Insurance, Taxation, EHS Control, Any Others Field Expenses, etc.	28,391	231,494	259,885	126,848	374,188	501,036	760,921	20.51% of Direct Cost, The fixed rate is applied same as Mechanical Work Subcontract.
1.2.3	Overhead & Profit	Cost for Overhead & Profit	11,683	95,261	106,944	52,199	153,981	206,180	313,124	8.44%
<b>Sum</b>			<b>178,498</b>	<b>1,455,443</b>	<b>1,633,941</b>	<b>797,515</b>	<b>2,352,586</b>	<b>3,150,101</b>	<b>4,784,042</b>	
1.2.4	GRT	Gross Receipts Tax	8,925	72,772	81,697	39,876	117,629	157,505	239,202	5.00% of S/N 1.2 Sum
<b>Total - (E)</b>			<b>187,423</b>	<b>1,528,215</b>	<b>1,715,638</b>	<b>837,391</b>	<b>2,470,215</b>	<b>3,307,606</b>	<b>5,023,244</b>	
<b>Grand Total - (F=D+E)</b>			<b>276,547</b>	<b>1,566,332</b>	<b>1,842,879</b>	<b>837,391</b>	<b>2,470,215</b>	<b>3,307,606</b>	<b>5,150,485</b>	

## 2. Time

S/N	Category	Description	Day						Total	Remarks
			2022	2023						
<b>2</b>	<b>Time</b>									
<b>2.1a</b>	<b>Standby duration due to Navy fuel transfer operation</b>									
2.1a.1	Day	Duration of impacted time which cause the delay of fuel pipeline construction progress	37 Day	14 Day					51 Days	
<b>2.1b</b>	<b>Standby duration due to Projectile observation</b>									
2.1b.1	Day	Duration of impacted time which cause the delay of fuel pipeline construction progress	17 Day	Day					17 Days	Actual duration of impacted days are 27 days. The 10 days of 27 days are same date with "S/N 2.1a Standby duration due to Navy fuel transfer operation". So, duplicated days are excluded.
<b>2.1c</b>	<b>Standby duration due to shortage of archaeologist deployment</b>									
2.1c.1	Day	Duration of impacted time which cause the delay of fuel pipeline construction progress	11 Day	10 Day					21 Days	"Standby duration due to Navy fuel transfer operation" is excluded. Only "Standby duration due to shortage of archaeologist deployment" is counted.
<b>Total</b>			<b>65 Day</b>	<b>24 Day</b>					<b>89 Day</b>	



# GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUÅHAN  
P.O.BOX 2977 • HAGÁTÑA, GUAM U.S.A. 96932-2977

July 31, 2023

Guhwa Kang  
Chief Executive Officer  
Guam Ukudu Power LL  
105 Inda Street, STE 107  
PMB 1053  
Dededo, Guam 96929

SUBJECT: GPA Response to GUP Request for Compensation and Scheduling  
Accommodation

Dear Mr. Kang,

We have received and carefully reviewed your Request for Compensation and Scheduling Accommodation dated April 7, 2023. Please find the attached spreadsheet summarizing the results of our review. A detailed discussion of the items presented in the GUP claim is presented below.

## 1 Compensation for Reserve Facility Preparatory Work

a) *The claim does not address the reduction in the amount of \$57 million, which is due from GUP to GPA because of the elimination of the Reserve Facility. This amount shall be clearly stated in Item 1 of the Summary section of the GUP claim, when discussing the FCC adjustment.*

### b) Legal Fees

The amount of \$960,000 claimed as reimbursement for the legal fees is calculated as 10% of the total legal fees. The reasoning is that the cost of the Reserve Facility is approximately 10% of the total project cost. Based on the GUP clarification, GPA understands that the legal fees invoices did not provide separate amounts for the costs associated with the Reserve Facility work. GPA considers that in absence of the detailed Reserve Facility legal invoices, the approach used by GUP is reasonable and accepts the amount of \$960,000, claimed by GUP for this item.

### c) Environmental Advisor Fees Relating to the Reserve Facility (Black & Veatch).

GUP submitted B&V invoices specifying amounts allocated to the Reserve Facility. GPA accepts the claimed amount of \$440,000.

### d) Land Surveys and Title Insurance Fees Related to the Reserve Facility.

i) The claimed survey costs in the amount of \$46,700 are based on the TG invoices provided by GUP. GUP accepts the claimed amount for this item.

- ii) GUP initially claimed compensation for the title insurance related to the Reserve Facility land in the amount of \$1,120,000. Based on the GPA request, GUP clarified that the initial amount was in error and that the correct amount claimed for this item should be \$384,018. GUP accepts the claim for this item in the amount of \$384,018.

## 2 Compensation for Cost of Compliance with Unanticipated Permitting Conditions

The GUP claim includes a request for compensation based on GUPs assessment that some of the conditions imposed by Guam EPA, and GWA represent the “change in the manner in which a Law of Guam is applied or interpreted”, thus claiming that these conditions fall under the definition of Change in Law under the ECA. The items claimed include:

- a) Continuous Emission Monitoring System (CEMS) required by GEPA. GUP requests \$1,090,000 as compensation for CEMS.

According to the KEPCO proposal (Volume 2, Form 8, Technical Data, Page. 38), GUP committed to provide the CEMS for both HSRG and bypass stacks (see quote below):

*Continuous Emission Monitoring System (CEMS) will be provided for use in the HRSR stacks and bypass stacks for the measurement of SO<sub>2</sub>, NO<sub>x</sub>, O<sub>2</sub>, CO, VOC, Particle, flue gas flow/ temperate as per the USA EPA. The sampling type of analyzers will be complete with sample extraction/conditioning system and all necessary accessories. All sampling type analyzers will be housed in permanent, environmentally conditioned enclosure.*

Based on that, CEMS were included in the Project initial scope and price and do not represent additional items. Therefore, GPA rejects the amount claimed for this item.

- b) Dedicated fire-fighting water storage tank requested by GWA. GUP claims that they had to construct a dedicated fire water storage tank for a cost of \$1,720,000 because GWA advised that the treated water discharged from the GWA’s water treatment plant cannot be used for firefighting due to risks to the people who can come into contact with this water, but in March 2023 changed their position.

GUP base their claim on the following exchange between GUP (E-mail dated March 8, 2023) and GWA (E-mail dated March 10, 2023), both copied below:

*GUP E-mail:*

*Dear Mauryn,*

*My apologies for the continuous email but I would like to follow up with you for my questions below.*

*We are little unclear on what you are waiting from GEPA since your response “[The Northern District WWTP NPDES permit does not allow for these public access reuse water activities. Therefore, the use of treated effluent for firefighting is not allowed due to federal regulations](#)” was made back in Nov 2020 and we just need to check*

*the source or supporting document of this statement as we could not find it in the NPDS permit. Please advise.*

1. *We've tried to find the reference in the NDWWTP NPDES permit, but could not find any clause that does not allow for these public access reuse water activities. Could you please provide the reference which directly says this?*

2. *Reuse water from NDWWTP will be stored in our power plant storage tank after pre-treatment. But can this not be used for firefighting water in any case even if received reuse water goes through the pre-treatment process in the power plant (the type of pre-treatment could be provided later if needed)?*

GWA Reply E-mail:

*Hello Sunggoo,*

*You are correct, the NDPEs permit is silent on public access reuse applications. The information I have, to date, is that public access reuse is under Guam EPA's purview and does not need to be included in the USEPA NPDES permit. Guam EPA is researching local public access reuse regulations.*

*Research is required to determine if current NDWWTP treatment (with or without additional treatment at the power plant) meets public access reuse requirements and if it does not, to identify what is needed to meet those requirements. Construction and additional sampling may be required. Also, public outreach for first responders and others who will come into contact with the public access reuse water would be needed. If you would like to pursue the use of treated effluent for fire-fighting activities, please advise if you are willing to undertake the study, outreach, and potential construction to meet public access reuse requirements. Further discussions should include Guam EPA. from and a including this amount in their claim for compensation.*

GPA underlined the statements in the GWA response related to the activities that would have to be undertaken by GUP in order to use treated water for firefighting. The activities include conducting a study, permitting, and construction. It is impossible to determine the scope and the cost of these activities, but using the treated water would not be possible at no cost. Also, in addition to some unspecified construction activities, GUP would likely have to provide additional treatment for the reuse water supplied by GWA to be able to use it for firefighting. This would involve constructing an additional treatment system and an increase in operating expenses due to additional consumption of chemicals. Furthermore, the volume of the reused water storage tanks located at the site would have to be increased by approximately 600 thousand gallons to provide fire water storage, resulting in the water storage cost increase.

Based on the above, GPA believes that the dedicated fire tank claim amount should be reduced by the amounts of additional expenditures associate with:

- Larger reused water tank volume that would have to be constructed at the Ukudu site.
- Cost of additional studies.
- Capital cost of reused water treatment system.
- Reused water treatment operating expenses.

In the absence of any cost estimates for the items listed under the above bullets, GPA is willing to accept 50% of the amount claimed under this items, which translates to \$860,000.

- c) Implementation of Impervious Pavement inside the power plant requested by GEPA.

GPA accepts the amount of \$1,050,000 claimed by GUP for this item.

3 Compensation for Cost and Scheduling Impact from the Delayed Transportation Permit.

GPA conducted a detailed analysis of the potential Change in Law claim due to the delay with issuance of the Transportation Permit. According to this analysis:

- In November of 2019, KEPCO (the Project Sponsor) was advised about the DPW requirements, which remained consistent throughout the permitting process.
- Doosan first approached DPW about the transportation permit in the beginning of May 2022.
- As of January 19, 2023, there were still outstanding issues other than insurance that needed to be addressed by GUP/Doosan in order to obtain the transportation permit.

GPA considers that the fact that GUP undertook no activities related to obtaining the transportation permit between November 2019 and May 2022 can be considered as “Project Company’s failure to diligently prepare the application for the applicable Government Authorization and to diligently seek the issuance thereof” under the ECA definition of Change in Law.

Even if the insurance requirement is determined to fall under the definition of Change in Law, its application should be limited to the period after all other transportation permit requirements, which do not constitute the Change in Law under the ECA, were properly addressed by GUP. GPA determined that insurance became the single outstanding issue preventing issuance of the transportation permit only after January 19, 2023. The transportation permit was issued on February 4, 2023. Therefore, GPA is willing to accept the standby cost compensation for this item based on a 16 day period between January 19 and February 4, 2023. GPA believes that only this period falls under the Change in Law definition subsection C “the imposition by a Government Authority (other than for Cause) of any material condition or delay in connection with the issuance, renewal, or modification of any Governmental Authorization”, considering that DPW insurance requirements fall under this definition.

The GUP claim for the cost and schedule impact from the delayed transportation permit is analyzed based on the above approach.

a) Standby Cost

The standby cost claim is for the amount of \$3,290,000 and includes a claim from the Doosan subcontractor (Guam Advance) for standby manpower and equipment in the amount of \$2,721,635 and Doosan's indirect costs in the amount of \$408,245 (15% of the subcontractor's cost).

The period covered by the standby cost claim is not clear from the supporting data submitted by GUP, but based on the text in Section 4 of the GUP claim, GPA assumes that the duration of the delay covered by the standby claim is 5 months. Considering the GPA position that the delay caused by the Change in Law is equal to 16 days, the claim amount accepted by GPA for this item is \$344,052 ( $\$3,290,000 \times (16/153)$ ).

b) Recovery Cost to Catch up Schedule

GUP claims \$3,510,000 to cover the cost associated with accelerating work to recover schedule delays. GPA believes that due to impacts of typhoon Mawar, the need to expedite construction as detailed in this item of the GUP claim is no longer necessary. Therefore, GPA does not accept this item of the claim.

c) Additional miscellaneous costs (including insurance costs).

GUP claims compensation for the costs associated with providing temporary bridges and additional insurance costs.

i) Temporary bridges.

GPA accepts the amounts claimed for temporary bridge, including:

- Temporary bridge Mob./Demob. and Storage	\$699,300
- Temporary Bridge Installation Plan for 7 bridges	\$255,145
- Temporary Bridge Installation Plan for 2 bridges	\$96,600
- Temporary Bridge Installation Plan for Culvert #19	\$36,010
- Temporary Bridge Engineering Services (Sept - Nov 2022)	\$76,436
- Temporary Bridge Engineering Services (Dec 2022 – Jan 2023)	\$56,357
Total:	\$1,219, 848

ii) GPA does not accept the amounts claimed for special inspections and reports of the existing bridges (the total of \$67,913) as these items were necessary components of the transportation permit application.

iii) GPA accepts the PUI additional insurance claim in the amount of \$175,000 and Doosan Additional Insurance in the amount of \$704,375.

- iv) GPA accepts indirect cost on the above items (excluding the Doosan additional insurance cost) at 15%, which is the indirect cost rate used for other items. The resulting amount accepted by GPA is \$209,227.

The total amount of claim for additional miscellaneous costs including insurance costs accepted by GPA is \$2,308,450. Including GRT at 5%, the accepted amount is \$2,423,873.

#### 4 Compensation for Cost and Scheduling Impact from the Pipeline Construction Delay

##### a) Stand-by cost.

GUP claims that the pipeline construction was delayed by several reasons:

- Work halt during jet fuel piping by the Navy
- Absence of archaeologist to supervise the pipeline work.
- Discovery of UXO that caused work stoppage.

GUP claims that the total schedule impact due to the above reasons adds to a total of 89 days of delay resulting in standby costs of \$150,000. GPA considers that GUP did not make sufficient efforts to mitigate the impact of the above factors and considers, that with proper mitigation, schedule impact of these items would only be 30 days. Based on the above, GPA accepts the amount of \$50,562 calculated as  $\$150,000 / 89 \times 30$  which is subject to verification of the \$150,000 amount.

The supporting documents show the total amount of the stand-by costs as \$127,241, not \$150,000 claimed in the body of the claim. GUP needs to explain the discrepancy otherwise the accepted amount will be based on the verified standby costs of \$127,241.

##### b) Recovery cost to catch-up schedule.

GUP claims \$5,780,000 to cover the cost associated with accelerating work to recover the pipeline schedule delays. GPA believes that due to impacts of Typhoon Mawar, the need to expedite construction as detailed in this item of the GUP claim is no longer necessary. Therefore, GPA does not accept this item of the claim.

#### 5 First Fill Cost Accommodation

GUP asks GPA to consider modifying the ECA first fill requirement in two ways:

- a) To allow using any fuel saved during commissioning compared to the ECA limit of commissioning fuel quantity of 1,245,000 MMBtu to be supplied by GPA towards first fill up to the required first fill quantity.
- b) Allow GUP initially to do only partial fill up to GUP's budgeted amount of \$17.5 million and complete the First Fill after the Commercial Operation Date using any fuel savings accruing to GPA after the Commercial Operation Date.

GPA will be willing to discuss the ECA modification with GUP regarding first fill. The ECA modifications will have to include a provision for GUP covering the cost of First Fill in case




there are no USLD savings during commissioning or Commercial Operation period for the options proposed.

6 Summary

- a) GPA accepts claims for the total amount of \$6,559,205. This amount is subject to approval by the Consolidated Commission on Utilities (CCU) and the Public Utilities commission (PUC).
- b) GPA does not accept claims for the items associated with schedule recovery due to delays with transportation permit and pipeline construction since, after typhoon Mawar schedule recovery for these items is no longer needed.
- c) Compensation for the final claim amount accepted by GPA will be considered when calculating the FCC adjustment due to the Project capital cost reduction of \$57 million associated with removal of the Reserve Facility.
- d) The 2-months extension claimed by GUP does not apply anymore as the Project schedule is expected to be extended due to impact of typhoon Mawar.
- e) GPA will be willing to discuss the proposed modifications to the ECA First Fill provisions.

In addition, to address the impact of Typhoon Mawar, GPA and GUP shall agree on a new commercial operation date by the end of September 2023. GPA is amenable to discuss options that will aid in shortening the project extension to commission the plant at an earlier date.

Sincerely,



John M. Benavente, P.E.  
General Manager



<b>GUP Claim Review Summary</b>				
<b>Item</b>	<b>Claimed Cost</b>	<b>Reported basis for claim</b>	<b>Accepted by GPA</b>	<b>Comments</b>
<b>Cost of Reserve Facility Preparatory Work</b>				
Legal Fees Relating to the Reserve Facility	960,000	Side letter.	960,000	GUP claims 10% of all legal costs based on the fact that the Reserve Facility cost is approximately 10% of the total legal fees incurred on the project. The amount of legal work required for the Reserve Facility may not be proportionate to its' share of the total cost. Stanley requested additional information and GUP provided a response on June 14 on an Email from Mr. Son. They provided additional thoughts on the 10% and documented why legal invoices specific to the reserve facility are not available. The requested amount seems reasonable. However, it should be noted that detailed invoices documenting the specific amount are not available.
Environmental Advisory Fees Relating to the Reserve Facility (B&V)	440,000		440,000	Cost seem appropriate as they provided B&V timesheets that are specific to reserve facility only
Land Surveyor and Title Insurance Fees Related to the Reserve Facility:				
Surveyor	46,700		46,700	The cost is acceptable as they provided invoices for the work.
Title	1,120,000		384,018	This cost needs clarification as they did not provide an attachment in the original request. Stanley requested a review of these costs. GUP reviewed with their subcontractor and notified us on June 21 via email that actual costs were \$384,018.
<b>Sub-total</b>	<b>2,566,700</b>		<b>1,830,718</b>	
<b>Compensation for Cost of Compliance with Unanticipated Permitting Conditions</b>				
Continuous Emission Monitoring System ("CEMS") by GEPA	1,090,000	ECA 16.9 Change in Law		GUP proposal for the project included CEMs on bypass stack and main stack. Therefore it is not considered an additional cost to the ECA.
Dedicated fire-fighting water storage tank by GWA	1,720,000		860,000	GWA initially advised that re-use water could not be used for firefighting. In March 2023 GWA said that using reuse water could have been possible but would have required additional permitting, construction and treatment. This option would require modifying treated water storage tanks for fire water service. May accept part of the cost considering deductions for additional costs that would have been required for using reuse water. Without any estimate of additional costs GPA is willing to accept 50% of the claimed amount. GPA is open to discussing this further if GUP provides estimate of additional costs..
Implementation of Impervious Pavement inside the power plant by GEPA	1,050,000		1,050,000	GEPA required full concrete of plant site in permit. This is not a typical requirement and could not be anticipated by GUP or their contractors.
<b>Sub-total</b>	<b>3,860,000</b>		<b>1,910,000</b>	
<b>GUP's added costs resulting from the delayed issuance of the heavy equipment transport permit are as follows:</b>				
Stand-by costs	3,290,000	ECA Change in Law definition, Force Majeure 16.1e, 16.8; 16.9	344,052	GUP did not start permit work until too late and did not complete all permit items other than insurance before January 19, 2023. They obtained permit on February 4, 2023. Insurance was the only issue remaining after January 19, 2023. Agree to grant 16 days out of 5 months (153 days) claimed.
Costs of accelerated work to catch-up the schedule	3,510,000			Due to impacts of Mawar the need to expedite construction as detailed in this request are no longer necessary.
Additional miscellaneous cost (including insurance costs) to obtain transportation permit				
Temporary bridge Mob./Demob. and Storage	699,300		699,300	Accept
Temporary Bridge Installation Plan for 7 bridges	255,145		255,145	Accept
Temporary Bridge Installation Plan for 2 bridges	96,600		96,600	Accept
Temporary Bridge Installation Plan for Culvert #19	36,010		36,010	Accept
Temporary Bridge Engineering Services (Sept - Nov, 2022)	76,436		76,436	Accept
Temporary Bridge Engineering Services (Dec 2022 – Jan 2023)	56,357		56,357	Accept
NDE Test for 2 curvets and 1 bridge (Matgwe, Asan Marina Drive 2 Culvert & Fonte Bridge)	46,931		0	Reject. This would need to be performed under any circumstances.
Special Inspection Report for 9 bridges and culverts	21,000		0	Reject. This would need to be performed under any circumstances.
PUI Additional Insurance Premium and Doosan Additional Insurance Premium	175,000		175,000	Accept
Indirect Cost (25%)	365,695		209,227	Indirect costs should be 15% of accepted items not 25%.
<b>Subtotal:</b>	<b>1,828,474</b>		<b>1,604,075</b>	
Doosan Additional Insurance	704,375		704,375	Accept
<b>Subtotal with 5% tax</b>	<b>2,659,491</b>		<b>2,423,873</b>	
<b>Sub-total</b>	<b>9,459,491</b>		<b>2,767,925</b>	
<b>Compensation for Cost and Scheduling Impact from the Pipeline Construction Delay</b>				
Stand-by cost:	150,000	Change in Law - excavation permit, archeologist - UXO	50,562	Reduce the standby day amount requested proportionally to the number of days granted - 30.
Recovery cost to catch-up the schedule	5,780,000			Due to impacts of Mawar the need to expedite pipeline construction as detailed in this request are no longer necessary.
<b>Total</b>	<b>5,930,000</b>		<b>50,562</b>	
<b>Grand total</b>	<b>21,816,191</b>		<b>6,559,205</b>	
<b>First Fill Cost Accommodation</b>				Projected fuel cost unknown until occurred. The amount of fuel saved during the startup, commissioning, and commercial operation can be applied towards first fill up to the full volume of the tank. This could be a reasonable compromise as GPA already accepted paying for the commissioning fuel up to the limit and to fuel charge based on guaranteed heat rates. Under the current provision GPA would benefit from any savings, but there would be no benefit if the Facility consumes all the commissioning fuel and operates at guaranteed heat rate.