



National Infrastructure Development Company Limited

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6th December, 2024

The Honourable Colm Imbert
Minister of Finance
Ministry of Finance,
Eric Williams Finance Building,
Level 8, Eric Williams Plaza,
Independence Square,
PORT OF SPAIN

Re: ANRRIA - REVISION OF STRUCTURAL DESIGNS THAT LED TO THE CONTRACTOR'S CLAIM FOR AN EXTRA PAYMENT

The Contract for the project is based on the FIDIC Conditions of Contract for turnkey projects, in which the Contractor is totally responsible for all designs. Designs were to be done in accordance with agreed international codes and in satisfaction of the Employer's requirements. The Contract also allowed the Employer to review the Contractor's designs and to give its non-objection to the design before they are issued for construction.

The Employer retained the services of competent and experienced subject area experts, for the review of civil work designs, structural designs, MEP designs, equipment selection, and so on. CEP was one such consulting company engaged to, inter alia, review the structural and civil designs.

The Contractor using a fast-track approach the Contractor submitted structural designs for Building A (the entire building was segmentalized into three discrete sections A, B & C). CEP gave its non-objection, along with some items to be addressed by the Contractor before proceeding to the construction phase. After the Contractor had addressed the items, approval to proceed was given to the Contractor.

CEP's Contract ended and we were unable to agree on a contract price for its renewal. We therefore did not renew the Contract.

After CEP, we retained the services of Arun Buch and Associates Ltd, followed by KS&P for structural review and ENCO for MEP.

By that time the Contractor had completed the foundations for Building A and was well advanced with those for Building B, additionally, they had completed the fabrication of Building A and were doing the installation of steelwork.

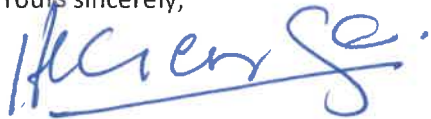
The 90% structural designs were submitted for Buildings B and C. The new Reviewer Arun Buch considered the designs and concluded that the structure was too flexible and needed to be reinforced, especially due to the extensive curtain wall, height of building to the roof, the wave form profile of the roof covering, the extensive eave overhang of 4 metres, and the tall masonry walls that were shown sitting on the suspended floors. He recommended that use be made of the relevant provision of ASCE 7-16 and the very least, the Contractor should revert to using the previously presented design approach used for the 30% designs. The latter appeared to have catered for the concerns that were being raised.

Given the Employer's issuing of the non-objection for the Building A structure and for the foundations of buildings A and B, those elements had now to be retrofitted to bring into alignment with the new design approach. The Employer agreed to compensate the Contractor for such retrofitting works.

Structural designs of Buildings B and C and the foundations to Building C, having not yet started at the time, were done in accordance with the new approach. The Contractor felt entitled to compensation for those Buildings similar to what was done for Building A and accordingly submitted a claim for such compensation. That claim has not yet been decided.

We confirm that what has been constructed has been done in accordance with the specified international codes and that the design of those elements received the non-objection of the Employer's Reviewers before those designs were issued for construction started.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Herbert George', with a horizontal line underneath.

Herbert George
Chairman