

# DESIGN AND CONSTRUCTION OF THE THIRD SET OF LOCKS CONTRACT

PANAMA CANAL AUTHORITY	VARIATION	PAGE 1 OF 3
1. REQUEST FOR PROPOSAL No.:  RFP-76161	2. CONTRACT No.:  CMC-221427	3. DATE: March 17, 2010
		4. VARIATION No.: 002

5. ISSUED BY:

PANAMA CANAL AUTHORITY  
Employer's Representative  
Locks Project Management Division  
Building 740, Corozal  
Panama, Republic of Panama

6. NAME AND ADDRESS OF CONTRACTOR (INCLUDE PHYSICAL & POSTAL ADDRESS)  Grupo Unidos por el Canal Building 732, Corozal West Panama, Republic of Panama	7. CONTRACTOR'S TELEPHONE NUMBER:  507-317-6736
	8. CONTRACTOR'S FACSIMILE NUMBER:  N/A

9. VARIATION:

The contract referred to in item No. 2 is hereby varied as set forth in item 10, entitled "DESCRIPTION OF VARIATION".

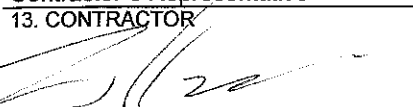
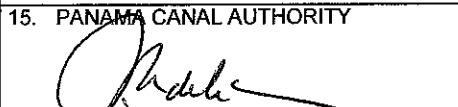
YES.  NO. The contractor shall send a copy, duly signed, of this Variation to the Employer's Representative/Contracting Officer.

	9 A. THIS VARIATION IS EXECUTED ON THE BASIS OF: <i>(Specify the legal authority)</i> .  <u>THE VARIATION DESCRIBED IN ITEM 10 IS HEREBY INCORPORATED AND MADE A PART OF THE CONTRACT.</u>
	9 B. THE CONTRACT REFERRED TO IN ITEM NO. 2, IS VARIED TO INCORPORATE ADMINISTRATIVE CHANGES (such as the paying office, account numbers, etc.).
X	9 C. THIS BILATERAL AGREEMENT IS SIGNED AND INCORPORATED INTO THE CONTRACT REFERRED TO IN ITEM NO. 2 OF THIS FORM, ON THE BASIS OF: <i>(Specify the legal authority)</i> <b>Volume III, Conditions of Contract , Sub-Clause 1.16 [Entire Agreement], 4<sup>th</sup> Paragraph</b>
	9 D. OTHER. <i>(Specify manner and the legal authority)</i> .
	9 E. ACCOUNT NUMBER <i>(If required)</i> :

10. DESCRIPTION OF THE VARIATION *(List in accordance with the order of the Contract. If additional space is required, use blank sheets)*.

**See attached**

Except for the variation(s) herein specified, all other terms and conditions of the Contract remain unchanged.

11. NAME AND TITLE OF THE PERSON AUTHORIZED TO SIGN <i>(Type or print)</i>  Antonio Maria Zaffaroni Contractor's Representative	12. NAME AND TITLE OF THE EMPLOYER'S REPRESENTATIVE/CONTRACTING OFFICER <i>(Type or print)</i>  Jorge de la Guardia, Employer's Representative
13. CONTRACTOR    <i>(Authorized signature)</i>	14. DATE:
	15. PANAMA CANAL AUTHORITY    <i>(Employer's Representative/Contracting Officer's signature)</i>
	16. DATE:  17/mar/10

Variation No. 2 is issued to incorporate the following changes:

1. The revised delivery dates of the submittals listed in the attached document (Refer to Annex No. 1).
2. **Volume II, Part 3, Subpart 1, Section 01 31 00, Paragraph 1.08 L [Daily Reports] of the Employer's Requirements.** Delete in its entirety the second sentence of the paragraph and replace it with: "These reports shall provide a detailed accounting of the Contractor's activities each day and shall be entered into the system no later than 12:00 pm of the work day following the day of the report".
3. **Volume II, Part 3, Subpart 1, Section 01 35 23 –Health and Safety Requirements** – Delete current Paragraph 1.03 A [Material Safety Data Sheets (MSDS)] in it's entirety and replace it with the following revised Paragraph:

*A. **Material Safety Data Sheets (MSDS):** For each hazardous material proposed for procurement, MSDS shall be submitted for approval in the English or Spanish languages at least 28 days in advance of pertinent work*

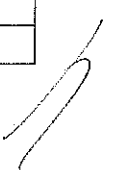
4. **Volume II, Part 3, Subpart 1, Section 01 57 19.13 - Environmental Management System-** Delete current Paragraph 1.05 C 1 [Citizen Participation Plan] and replace it with the following revised Paragraph:

*1. In order to continue the process of community participation that was launched as part of the Environmental Impact Study, the Contractor shall establish a community-relations office in the Pacific side and another in the Atlantic side.*

*These offices shall be located in communities close to the Contractor's Sites, provided the locations are submitted for the approval of the Employer's Representative.*

5. **Volume II, Part 4, Requirement Drawings –Section 00 01 15.02 04, List of Drawings.** Reflect the following changes:

Drawing No.	Title	Delete Revision No./Dated	Replace with Revision No./Dated (See attached)
5802-27	Atlantic Site - Location Plan	7 / 26-Jan-09	8 / 22-Feb-10
5802-28	Location Plan of Available Disposal Sites in Atlantic Site	5 / 26-Jan-09	7 / 22-Feb-10
5803-54	Pacific Site – Location Plan	9 / 26-Jan-09	10 / 22-Feb-10



6. **Volume III, Conditions of Contract, Appendix 2, Part 2-Contractor Insurance, A. Third Party Liability Insurance.** Reflect the following:

(vi) **Territorial Limits:** Change from Republic of Panama to Worldwide including USA and Canada (North American conditions to apply).

(vii) **Policy Jurisdiction:** Change from Worldwide including USA and Canada (North American conditions to apply) to Republic of Panama.

7. **Volume III, Conditions of Contract,** In accordance with Sub-Clause 13.8 [Adjustments for Changes in Prices for Specified Materials] of the Conditions of Contract, and pursuant to Paragraph 1.03 C. 10 of Section 01 31 00 [Project Management and Coordination] of the Employer's Requirements, replace the Adjustment Time Table for Diesel Fuel - originally submitted with the tender - with the Adjustment Time Table enclosed, which reflects the corrected time phasing of the Adjustment Quantities for the Diesel Fuel (Refer to Annex No. 2).

8. **Volume VI , Part 1, Reference Drawings, Section 00 01 15.06 01 - LIST OF DRAWINGS – include below "V. OTHER REFERENCE DRAWINGS",** the following

Drawing No	Title	Rev No	Date
6170	Power Manhole Details	1	3/25/94



Variation No. 002  
 Design and Construction of the Third Set of Locks  
 CIMC-221427  
 Annex No. 1

Description	Contract Requirement	Contract Requirement (No. of Days After Commencement Date)	Contract Requirement (No. of Days after the Date of Acceptance)	Original Date	Revised - No. of days	Revised (No. of Days After Commencement Date)	Revised - (No. of Days after the Letter of Acceptance)	Revised Date	Section	Paragraph
Accepted Baseline Programme	-	-	-	16-Nov-09	-	-	-	11-Feb-10	01 31 00	1.03 C
First Periodic Safety Report (Aug 25-Oct 31, 2009)	on or before the 5th day of the following month	-	-	5-Nov-09	-	-	-	23-Nov-09	01 35 29	1.14 A
Second Periodic Safety Report (Nov 30, 09)	on or before the 5th day of the following month	-	-	5-Dec-09	-	-	-	9-Dec-09	01 35 29	1.14 A
Third Periodic Safety Report (Dec 31, 09)	on or before the 5th day of the following month	-	-	5-Jan-10	-	-	-	18-Jan-10	01 35 29	1.14 A
Fourth Periodic Safety Report (Jan 31, 10)	on or before the 5th day of the following month	-	-	5-Feb-10	-	-	-	10-Feb-10	01 35 29	1.14 A
Industrial Hygienist (IH)	-	28	-	22-Sep-09	-	-	34	28-Sep-09	01 35 29	1.14 A
Safety Representatives	-	28	-	22-Sep-09	-	-	34	28-Sep-09	01 35 29	1.14 A
Contractor's Quality Audit Programme	first version submitted with the Contractor's detailed PMP	-	-	23-Dec-09	-	-	-	12-Jan-10	01 40 00	1.07 E.3
Non Binding Estimates of the payments during each quarterly period (first Report)	-	42	-	6-Oct-09	-	66	-	30-Oct-09	Vol III	14.4

# ANNEX No. 2

Volume V – Contractor's Proposal  
 Part 9 – Price Proposal and Price Adjustment Timetable

RFP-76161  
 Design and Construction of the Third Set of Locks

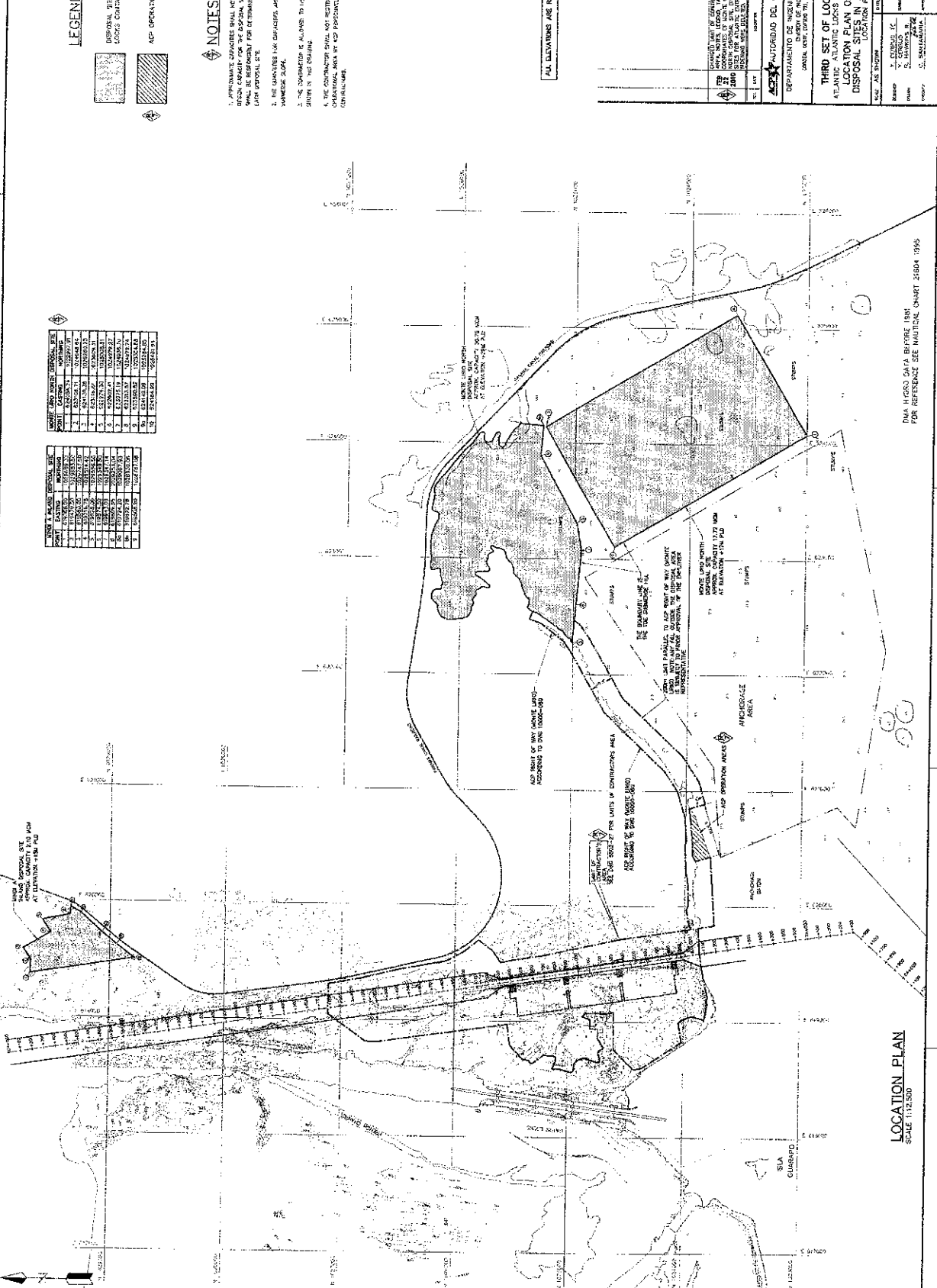
Diesel Fuel						
Maximum Adjustment Quantity: 60 Million US Gallons						
Number of Calendar Days After Commencement Date	Adjustment Dates	Adjustment Quantity (US Gallon - Insert Quantity)	Adjustment Price	Reference Price	Price Difference	Adjustment Amount Due This Period
62	26-Oct-08			\$ 1.40		
154	26-Jan-10	97,270	\$ 1.9857	\$ 1.40	\$ 0.5857	\$ 56,971.04
244	26-Apr-10	767,891		\$ 1.40		
335	26-Jul-10	2,913,611		\$ 1.40		
427	26-Oct-10	4,038,747		\$ 1.40		
519	26-Jan-11	5,274,277		\$ 1.40		
609	26-Apr-11	5,478,053		\$ 1.40		
700	26-Jul-11	4,349,243		\$ 1.40		
792	26-Oct-11	4,448,850		\$ 1.40		
884	26-Jan-12	5,205,962		\$ 1.40		
975	26-Apr-12	4,831,888		\$ 1.40		
1066	26-Jul-12	3,783,429		\$ 1.40		
1158	26-Oct-12	3,098,217		\$ 1.40		
1250	26-Jan-13	3,115,135		\$ 1.40		
1340	26-Apr-13	3,517,021		\$ 1.40		
1431	26-Jul-13	2,391,430		\$ 1.40		
1523	26-Oct-13	1,313,448		\$ 1.40		
1615	26-Jan-14	448,911		\$ 1.40		
1705	26-Apr-14	179,565		\$ 1.40		
1796	26-Jul-14	269,346		\$ 1.40		
Total		55,520,094				\$ 56,971.04

Note: Also refer to sub Sub-Clause 1.1.5 [Works and Goods] and Sub-Clause 13.8 [Adjustments for Changes in Prices for Specified Materials].





A B C D E



AREA	AREA (SQ. METERS)	AREA (SQ. FEET)
1	1,234,567.89	13,323,456.78
2	2,345,678.90	25,234,567.89
3	3,456,789.01	37,145,678.90
4	4,567,890.12	49,056,789.01
5	5,678,901.23	60,967,890.12
6	6,789,012.34	72,878,901.23
7	7,890,123.45	84,789,012.34
8	8,901,234.56	96,690,123.45
9	9,012,345.67	108,601,234.56
10	10,123,456.78	120,512,345.67
11	11,234,567.89	132,423,456.78
12	12,345,678.90	144,334,567.89
13	13,456,789.01	156,245,678.90
14	14,567,890.12	168,156,789.01
15	15,678,901.23	180,067,890.12
16	16,789,012.34	191,978,901.23
17	17,890,123.45	203,889,012.34
18	18,901,234.56	215,800,123.45
19	19,012,345.67	227,711,234.56
20	20,123,456.78	239,622,345.67
21	21,234,567.89	251,533,456.78
22	22,345,678.90	263,444,567.89
23	23,456,789.01	275,355,678.90
24	24,567,890.12	287,266,789.01
25	25,678,901.23	299,177,890.12
26	26,789,012.34	311,088,901.23
27	27,890,123.45	323,000,012.34
28	28,901,234.56	334,911,123.45
29	29,012,345.67	346,822,234.56
30	30,123,456.78	358,733,345.67
31	31,234,567.89	370,644,456.78
32	32,345,678.90	382,555,567.89
33	33,456,789.01	394,466,678.90
34	34,567,890.12	406,377,789.01
35	35,678,901.23	418,288,890.12
36	36,789,012.34	430,199,901.23
37	37,890,123.45	442,111,012.34
38	38,901,234.56	454,022,123.45
39	39,012,345.67	465,933,234.56
40	40,123,456.78	477,844,345.67
41	41,234,567.89	489,755,456.78
42	42,345,678.90	501,666,567.89
43	43,456,789.01	513,577,678.90
44	44,567,890.12	525,488,789.01
45	45,678,901.23	537,399,890.12
46	46,789,012.34	549,310,901.23
47	47,890,123.45	561,222,012.34
48	48,901,234.56	573,133,123.45
49	49,012,345.67	585,044,234.56
50	50,123,456.78	596,955,345.67
51	51,234,567.89	608,866,456.78
52	52,345,678.90	620,777,567.89
53	53,456,789.01	632,688,678.90
54	54,567,890.12	644,599,789.01
55	55,678,901.23	656,510,890.12
56	56,789,012.34	668,421,901.23
57	57,890,123.45	680,333,012.34
58	58,901,234.56	692,244,123.45
59	59,012,345.67	704,155,234.56
60	60,123,456.78	716,066,345.67
61	61,234,567.89	727,977,456.78
62	62,345,678.90	739,888,567.89
63	63,456,789.01	751,799,678.90
64	64,567,890.12	763,710,789.01
65	65,678,901.23	775,621,890.12
66	66,789,012.34	787,532,901.23
67	67,890,123.45	799,444,012.34
68	68,901,234.56	811,355,123.45
69	69,012,345.67	823,266,234.56
70	70,123,456.78	835,177,345.67
71	71,234,567.89	847,088,456.78
72	72,345,678.90	859,000,567.89
73	73,456,789.01	870,911,678.90
74	74,567,890.12	882,822,789.01
75	75,678,901.23	894,733,890.12
76	76,789,012.34	906,644,901.23
77	77,890,123.45	918,556,012.34
78	78,901,234.56	930,467,123.45
79	79,012,345.67	942,378,234.56
80	80,123,456.78	954,289,345.67
81	81,234,567.89	966,200,456.78
82	82,345,678.90	978,111,567.89
83	83,456,789.01	990,022,678.90
84	84,567,890.12	1,001,933,789.01
85	85,678,901.23	1,013,844,890.12
86	86,789,012.34	1,025,755,901.23
87	87,890,123.45	1,037,667,012.34
88	88,901,234.56	1,049,578,123.45
89	89,012,345.67	1,061,489,234.56
90	90,123,456.78	1,073,400,345.67
91	91,234,567.89	1,085,311,456.78
92	92,345,678.90	1,097,222,567.89
93	93,456,789.01	1,109,133,678.90
94	94,567,890.12	1,121,044,789.01
95	95,678,901.23	1,132,955,890.12
96	96,789,012.34	1,144,866,901.23
97	97,890,123.45	1,156,778,012.34
98	98,901,234.56	1,168,689,123.45
99	99,012,345.67	1,180,600,234.56
100	100,123,456.78	1,192,511,345.67

**LEGEND**

DISPOSAL SITES FOR LOGS, CABLES, ETC.

ASP OPERATION AREA

**NOTES**

1. APPROXIMATE QUANTITIES OF WASTE MATERIALS TO BE DISPOSED AT THE DISPOSAL SITES SHOWN ON THIS PLAN SHALL BE DETERMINED FOR DETERMINING THE CAPACITY OF EACH DISPOSAL SITE.
2. THE QUANTITIES OF WASTE MATERIALS SHOWN ON THIS PLAN ARE BASED ON A 7 TO 1 WASTE RATIO.
3. THE QUANTITIES ARE SUBJECT TO THE FINAL DESIGN OF THE DISPOSAL SITES.
4. THE CONTRACTOR SHALL NOT EXCEED THE QUANTITIES OF WASTE MATERIALS SHOWN ON THIS PLAN.
5. THE CONTRACTOR SHALL NOT EXCEED THE QUANTITIES OF WASTE MATERIALS SHOWN ON THIS PLAN.

ALL ELEVATIONS ARE REFERRED TO MSL

NO.	DESCRIPTION	DATE	BY	CHKD.
1	DESIGN OF DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
2	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
3	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
4	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
5	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ

**AUTORIDAD DEL CANAL DE PANAMA**  
 DEPARTAMENTO DE INGENIERIA Y PROYECTOS  
 DIVISION DE INGENIERIA Y PROYECTOS  
 J. GONZALEZ

**THIRD SET OF LOGS PROJECT**  
 ATLANTIC ATLANTIC LOGS COMPLEX - PANAMA  
 LOCATION PLAN OF AVAILABLE DISPOSAL SITES IN ATLANTIC SIDE

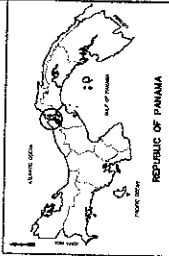
NO.	DESCRIPTION	DATE	BY	CHKD.
1	DESIGN OF DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
2	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
3	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
4	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ
5	REVISIONS TO DISPOSAL SITES	10/16/2009	J. GONZALEZ	J. GONZALEZ

PLAN INGENIERIA CANAL PANAMA 5802-28  
 FOR REFERENCE SEE NAUTIC CHART 5804 1955  
 THIS DRAWING SUPERSEDES DRAWING 5802-28 DATED OCTOBER 16, 2009

5802-28

**LOCATION PLAN**  
 SCALE 1:12,500

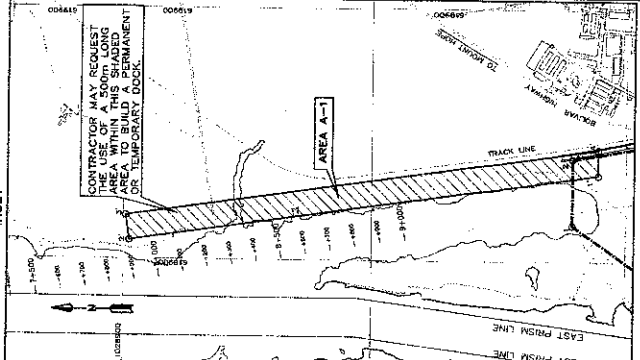
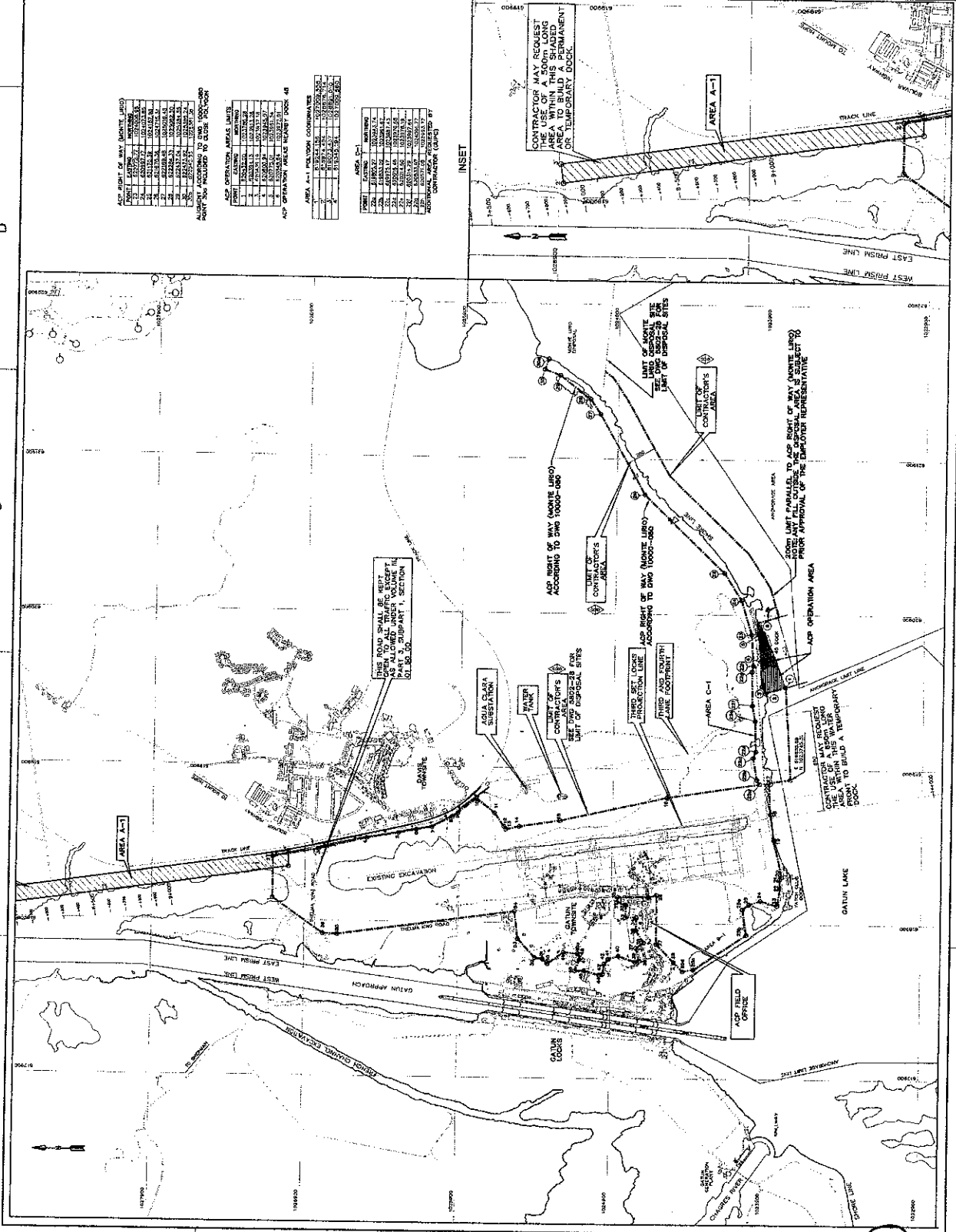




CONTRACTOR AREA POLYGON COORDINATES	
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TITULO: AREA OPERATIVA PARA EL TRAZADO DEL CANAL DE PANAMA AUTORIA: AUTORIDAD DEL CANAL DE PANAMA DEPARTAMENTO DE PROYECTOS Y ADMINISTRACION DE PROYECTOS DIVISION: DISEÑO DE OBRAS DE OBRAS DE PANAMA	
TERCER SET DE LOCKS PROJECT ATLANTIC LOCKS COMPLEX ATLANTIC SITE LOCKS PANAMA	
FECHA: 11/2008 DISEÑADO: J. VASQUEZ REVISADO: J. VASQUEZ APROBADO: J. VASQUEZ	ESCALA: 1:500 TITULO: 5802-27 PROYECTO: 5802-27 AREA: 5802-27

ADJ. RIGHT OF WAY (MONTE LIBRO)	
POINT	COORDINATES
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5802-27  
 THIS DRAWING SUPERSEDES DRAWING 5802-27  
 DATED NOVEMBER 21, 2008

