

08.05.2018

ADDENDUM NO. 1 TO THE CONTRACT REGARDING SITE PREPARATION WORKS

Recitals

Whereas:

- (a) UAB Kauno kogeneracinė jėgainė ("**the Client**") and UAB YIT INFRA Lietuva (former: UAB "Lemminkäinen Lietuva" ("**the Contractor**") on 07-11-2017 have entered into the contract No. S-2017-PSUT-15 ("**the Contract**") concerning the civil works detail of the Project specified under item 2 with the scope and the terms and conditions detailed in the Contract;
- (b) The Contractor has been selected by the Purchaser by means of public procurement having evaluated *inter alia* Contractor's compliance to the requirements of the procurement conditions;
- (c) On 21-03-2018 the Contractor has sent Additional Work Request No. 2 dated 21-03-2018 (Annex No. 1), regarding additional work, namely concrete mark / class change under the Contract.
- (d) On 21-03-2018 the Purchaser has received the Expert Opinion (Annex No. 2) by EPCM Consultant of the Project AF-Consult Oy ("**the Consultant**") regarding Contractor's Additional Work Request in which the Consultant recommended to proceed with Additional Work request and refers to the circumstances due to which necessity of named additional works could not be foreseen upon entering the Contract;
- (e) Execution of Additional Work Request effects increase in Contract Price in amount of EUR 12 253,74 without VAT and partial change in scope of Works under Contract, therefore it requires changes of certain provisions of the Contract.
- (f) *Inter alia* for implementation and amendments of the public procurement contracts the item 2 of part 1 of Article 97 of the Law on Procurements Carried out in the fields of Water management, Energetics, Transport or Postal services ("**the LP**") has to be taken into account as much as it is not adjusted by the contractual terms;
- (g) The parties to the Contract intend to continue execution of the Contract as it was originally agreed between the Client and the Contractor taking into account the necessary corrections specified below and detailed in the annexes to this Addendum No. 1.

Therefore, the Parties have entered into this Addendum to the Contract and agreed as follows:

1 Change in scope of Work and Contract Price

1.1. The Parties have agreed to amend following provisions of the Contract:

- 1.1.1. Paragraph 2 of §16 "Contract Price" of the Contract shall be restated and read as follows:

"The contract price, exclusive of value-added tax is 5 467 141,14 Euro, and the value-added tax of 21 % totals 1 148 099,64 Euro, adding up to a total of 6 615 240,78 Euro".
- 1.1.2. Item 5.7 of the Appendix 2 to the Contract "Priced Bill of Quantities" shall be removed and replaced with new Item 5.7.1 of the Reasoning table attached to Annex 2 hereto;
- 1.1.3. Item 5.23 of the Appendix 2 to the Contract "Priced Bill of Quantities" shall be removed and replaced with new Item 5.23.1 of the Reasoning table attached to Annex 2 hereto;
- 1.1.4. Item 5.26 of the Appendix 2 to the Contract "Priced Bill of Quantities" shall be removed and replaced with new Item 5.26.1 of the Reasoning table attached to Annex 2 hereto;

**Addendum No. 1 to
the Contract**

2 (3)

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1.1.5. Item "Tender Price" of the Appendix 2 to the Contract "Priced Bill of Quantities" shall be restated and read as follows:

"Tender Price: 5 467 141,14 EURO".

1.2 All other provisions of the original Contract remain unchanged.

1.3 For the sake of clarity change of Contract under this Addendum No. 1 shall not affect Contractor's time schedule under the Contract.

1.4 This Addendum No. 1 to the Contract shall enter into force on the day when the last Party signs it as indicated below.

2 Counterparts, signatures and annexes

2.1 This Addendum No. 1 to the Contract has been made in two copies, one for each party.

2.2 Following shall be annexed and form an integral part of this Addendum No. 1:

4.2.1. Annex No. 1 – Contractor's variation order dated 21-03-2018;

4.2.2. Annex No. 2 – Expert Opinion dated 21-03-2018.

Place/Date

8.5.1018
Vilnius

Place/Date

UAB Kauno kogeneracinė jėgainė

UAB YIT Infra Lietuva

21/03/2018



UAB Kauno kogeneracinė jėgainė Kaunas CHP Plant Variations to concrete class of Waste bunker structures

Appendix 1 Add order No.02_concrete class (UAB „Lemminkainen Lietuva“)

1 A scope of the variation

The variation includes upgrade of concrete class in the structures of the Waste Bunker.

The variation shall be included in the contract: Contract of Site Preparation works

2 Technical reason of the variation

The concrete class for the structures of Waste Bunker was defined as C35/45 in original Site Preparation plans and the idea was to use additives in order to achieve the required water tightness of the structures. The proposed additive in specification was Xypex Admix C-1000 additive (crystalline technology) which is widely used in many countries.

How-ever, the designers found out that the advantages of the additive are minor according to their calculations and Lithuanian Codes particularly regarding the reduction of crack width. It was then decided to use concrete class C40/50 without any additives to reduce the thickness of bottom slab and to achieve the same or even better quality of the structures e.g.:

1. Water tightness
2. Durability for concrete
3. Corrosion protection for reinforcement

3 Effects for time schedule for delivery/the project

The variation does not have effect to the time schedule of the this contract delivery or for the project time schedule.

4 Cost effect

The price for the variation is 12253.74 eur. It comprises the increase of unit price and reduction the quantity of bottom slab.

5 Expert opinion

Based on the reasons of the variation explained in section 2, ÅF's Expert proposal is to proceed with Additional order of UAB „Lemminkainen Lietuva“.

Best regards,

ÅF-Consult



March 29, 2018. No. VS18-166

COMPANY NAME CHANGE ANNOUNCEMENT

We would like to inform you that UAB "Lemminkäinen Lietuva" (enterprise code 122657512) has changed its name to **UAB YIT Infra Lietuva** since **March 29, 2018**. All other business requisites remain unchanged.

Sincerely,

UAB YIT Infra Lietuva
Managing Director