

Rivera Alfaro, Diego A. (AAPP)

From: De Jesús Rivera, Shylene (AAPP)
Sent: Monday, January 30, 2023 11:02 AM
To: Rivera Alfaro, Diego A. (AAPP)
Subject: Fwd: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7
Attachments: image002.png; 230113 - P3A - Genera - LGA OMA CPO (Draft 01.13.23 vs Draft 12.23.22) - PC.pdf

Sent from my iPhone

Begin forwarded message:

From: "De Jesús Rivera, Shylene (AAPP)" <Shylene.DeJesus@p3.pr.gov>
Date: January 14, 2023 at 12:07:00 PM AST
To: "Marrero, Omar (AAFAP)" <omar.marrero@aafaf.pr.gov>, Josué Colón Ortiz <josue.colon@prepa.com>, "Loran Butron, Gerardo (AAFAP)" <Gerardo.Loran@aafaf.pr.gov>, Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>, fernando.gil@prepa.com
Cc: "Fontanés Gómez, Fermín E. (AAPP)" <Fermin.Fontanes@p3.pr.gov>
Subject: RE: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

PRIVILEGED AND CONFIDENTIAL

Dear Members of the Partnership Committee,

In connection with the Thermal Generation Facilities public private partnership transaction, the P3 Authority hereby encloses a revised version of the O&M Agreement (changed pages only) showing changes recently incorporated by the P3 Authority to reinforce certain of the operator's obligations thereunder, including, inter alia, (i) reporting obligations; (ii) obligations towards PREPA's former employees that are hired by the operator; and (iii) operator's obligations to employ reasonable efforts to purchase goods and services under the Preliminary Agreement from local providers. Specifically, changes were made to the Recitals of the Preliminary Agreement, and to Sections 4.2 (g) and (p); 5.14 (c); 7.5; 9.3 (c). Also, a new Section 21.19 was added to the Preliminary Agreement.

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Cordially,

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Rivera Alfaro, Diego A. (AAPP)

From: De Jesús Rivera, Shylene (AAPP)
Sent: Monday, January 30, 2023 4:40 PM
To: Rivera Alfaro, Diego A. (AAPP)
Subject: Fwd: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

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Begin forwarded message:

From: "Marrero, Omar (AAFAF)" <omar.marrero@aafaf.pr.gov>
Date: January 14, 2023 at 12:19:05 PM AST
To: "De Jesús Rivera, Shylene (AAPP)" <Shylene.DeJesus@p3.pr.gov>, Josué Colón Ortiz <josue.colon@prepa.com>, "Loran Butron, Gerardo (AAFAF)" <Gerardo.Loran@aafaf.pr.gov>, Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>, fernando.gil@prepa.com
Cc: "Fontanés Gómez, Fermín E. (AAPP)" <Fermin.Fontanes@p3.pr.gov>
Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

Good morning. In favor of the changes. Thank you.

Omar J. Marrero, Esq.
CEO and Chairman of AAFAF

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From: De Jesús Rivera, Shylene (AAPP) <Shylene.DeJesus@p3.pr.gov>
Sent: Saturday, January 14, 2023 12:08:03 PM
To: Marrero, Omar (AAFAF) <omar.marrero@aafaf.pr.gov>; Josué Colón Ortiz <josue.colon@prepa.com>; Loran Butron, Gerardo (AAFAF) <Gerardo.Loran@aafaf.pr.gov>; Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>; Fernando.gil@prepa.com <fernando.gil@prepa.com>
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Cordially,

PUERTO RICO
**PUBLIC-PRIVATE
PARTNERSHIPS**
AUTHORITY



SHYLENE DE JESÚS-RIVERA, ESQ.
GENERAL COUNSEL
✉ shylene.dejesus@p3.pr.gov
☎ (787) 722-2525 ext. 15342
🌐 p3.pr.gov

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From: De Jesús Rivera, Shylene (AAPP)
Sent: Monday, January 30, 2023 11:03 AM
To: Rivera Alfaro, Diego A. (AAPP)
Subject: Fwd: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

Sent from my iPhone

Begin forwarded message:

From: "Loran Butron, Gerardo (AAFAF)" <Gerardo.Loran@aafaf.pr.gov>
Date: January 14, 2023 at 12:19:22 PM AST
To: "De Jesús Rivera, Shylene (AAPP)" <Shylene.DeJesus@p3.pr.gov>, "Marrero, Omar (AAFAF)" <omar.marrero@aafaf.pr.gov>, Josué Colón Ortiz <josue.colon@prepa.com>, Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>, fernando.gil@prepa.com
Cc: "Fontanés Gómez, Fermín E. (AAPP)" <Fermin.Fontanes@p3.pr.gov>
Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

In favor of the proposed chnages.

Gerardo Loran

From: De Jesús Rivera, Shylene (AAPP) <Shylene.DeJesus@p3.pr.gov>
Sent: Saturday, January 14, 2023 12:08 PM
To: Marrero, Omar (AAFAF) <omar.marrero@aafaf.pr.gov>; Josué Colón Ortiz <josue.colon@prepa.com>; Loran Butron, Gerardo (AAFAF) <Gerardo.Loran@aafaf.pr.gov>; Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>; Fernando.gil@prepa.com <fernando.gil@prepa.com>
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**PUBLIC-PRIVATE
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SHYLENE DE JESÚS-RIVERA, ESQ.
GENERAL COUNSEL

shylene.dejesus@p3.pr.gov
(787) 722-2525 ext. 15342
p3.pr.gov

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To: Rivera Alfaro, Diego A. (AAPP)
Subject: Fwd: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

Sent from my iPhone

Begin forwarded message:

From: Fernando Gil Enseñat <FERNANDO.GIL@prepa.com>
Date: January 14, 2023 at 12:20:38 PM AST
To: "Loran Butron, Gerardo (AAFAF)" <Gerardo.Loran@aafaf.pr.gov>, "De Jesús Rivera, Shylene (AAPP)" <Shylene.DeJesus@p3.pr.gov>, "Marrero, Omar (AAFAF)" <omar.marrero@aafaf.pr.gov>, "Josué A. Colón-Ortiz" <josue.colon@prepa.com>, Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>
Cc: "Fontanés Gómez, Fermín E. (AAPP)" <Fermin.Fontanes@p3.pr.gov>
Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

In Favor.

Fernando Gil Enseñat

Sent via the Samsung Galaxy S22 Ultra 5G, an AT&T 5G smartphone
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From: Loran Butron, Gerardo (AAFAF) <Gerardo.Loran@aafaf.pr.gov>
Sent: Saturday, January 14, 2023 12:19:16 PM
To: De Jesús Rivera, Shylene (AAPP) <Shylene.DeJesus@p3.pr.gov>; Marrero, Omar (AAFAF) <omar.marrero@aafaf.pr.gov>; Josué A. Colón-Ortiz <josue.colon@prepa.com>; Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>; Fernando Gil Enseñat <FERNANDO.GIL@prepa.com>
Cc: Fontanés Gómez, Fermín E. (AAPP) <Fermin.Fontanes@p3.pr.gov>
Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

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In favor of the proposed changes.

Gerardo Loran

From: De Jesús Rivera, Shylene (AAPP) <Shylene.DeJesus@p3.pr.gov>
Sent: Saturday, January 14, 2023 12:08 PM
To: Marrero, Omar (AAFAF) <omar.marrero@aafaf.pr.gov>; Josué Colón Ortiz <josue.colon@prepa.com>; Loran Butron, Gerardo (AAFAF) <Gerardo.Loran@aafaf.pr.gov>; Edison

Aviles Deliz <eavilesdeliz@jrsp.pr.gov>; Fernando.gil@prepa.com <fernando.gil@prepa.com>

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GENERAL COUNSEL

✉ shylene.dejesus@p3.pr.gov

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Rivera Alfaro, Diego A. (AAPP)

From: De Jesús Rivera, Shylene (AAPP)
Sent: Monday, January 30, 2023 11:05 AM
To: Rivera Alfaro, Diego A. (AAPP)
Subject: Fwd: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

Follow Up Flag: Follow up
Flag Status: Flagged

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Begin forwarded message:

From: "Josué A. Colón-Ortiz" <josue.colon@prepa.com>
Date: January 14, 2023 at 12:48:13 PM AST
To: "De Jesús Rivera, Shylene (AAPP)" <Shylene.DeJesus@p3.pr.gov>, "Marrero, Omar (AAFAF)" <omar.marrero@aafaf.pr.gov>, "Loran Butron, Gerardo (AAFAF)" <Gerardo.Loran@aafaf.pr.gov>, Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>, Fernando Gil Enseñat <FERNANDO.GIL@prepa.com>
Cc: "Fontanés Gómez, Fermín E. (AAPP)" <Fermin.Fontanes@p3.pr.gov>
Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

January 14, 2023

Gentlemen,

Good morning to all. In favor of the proposed changes.

Cordially,

Josué

#####

Fermin,

Ensure that the final wording of the contract is clear and specific (as in the other agreed matters) so that there is no doubt in the P3 consultants, nor in the contractor about their obligation to offer a job offer that is equal or superior to all (100%) the employees of each generating station, from the Head of the Power Station to the last employee in the organization chart and list of active employees in each generation facility at the time of signing the contract and its beginning.

Best regards,

Josue

Sent from my T-Mobile 5G Device

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From: De Jesús Rivera, Shylene (AAPP) <Shylene.DeJesus@p3.pr.gov>

Sent: Saturday, January 14, 2023 12:08:03 PM

To: Marrero, Omar (AAFAF) <omar.marrero@aafaf.pr.gov>; Josué A. Colón-Ortiz <josue.colon@prepa.com>; gerardo.loran <gerardo.loran@aafaf.pr.gov>; Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>; Fernando Gil Enseñat <FERNANDO.GIL@prepa.com>

Cc: Fontanés Gómez, Fermín E. (AAPP) <Fermin.Fontanes@p3.pr.gov>

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Date: January 14, 2023 at 12:29:33 PM AST
To: "De Jesús Rivera, Shylene (AAPP)" <Shylene.DeJesus@p3.pr.gov>
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Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

Gracias por la aclaración. A favor.
Edison Aviles-Deliz

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From: De Jesús Rivera, Shylene (AAPP) <Shylene.DeJesus@p3.pr.gov>
Sent: Saturday, January 14, 2023 12:28:31 PM
To: Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov>
Cc: Marrero, Omar (AAFAP) <omar.marrero@aafaf.pr.gov>; Josué Colón Ortiz <josue.colon@prepa.com>; Loran Butron, Gerardo (AAFAP) <Gerardo.Loran@aafaf.pr.gov>; fernando.gil@prepa.com <fernando.gil@prepa.com>; Fontanés Gómez, Fermín E. (AAPP) <Fermin.Fontanes@p3.pr.gov>
Subject: Re: Thermal Generation Facilities RFP 2020-1 -Referendum No. 7

Buenas Tardes. Si, son los unicos cambios segun discutido. Saludos,

Sent from my iPhone

On Jan 14, 2023, at 12:24 PM, Edison Aviles Deliz <eavilesdeliz@jrsp.pr.gov> wrote:

Buenas tardes!

Solo para que me confirmen que lo enviado es lo único que cambio con relación a lo que ya se había aprobado.

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Dear Members of the Partnership Committee,

In connection with the Thermal Generation Facilities public private partnership transaction, the P3 Authority hereby encloses a revised version of the O&M Agreement (changed pages only) showing changes recently incorporated by the P3 Authority to reinforce certain of the operator's obligations thereunder, including, inter alia, (i) reporting obligations; (ii) obligations towards PREPA's former employees that are hired by the operator; and (iii) operator's obligations to employ reasonable efforts to purchase goods and services under the Preliminary Agreement from local providers. Specifically, changes were made to the Recitals of the Preliminary Agreement, and to Sections 4.2 (g) and (p); 5.14 (c); 7.5; 9.3 (c). Also, a new Section 21.19 was added to the Preliminary Agreement.

The P3 Authority respectfully requests the Members of the Partnership Committee to, in the exercise of their responsibilities under Act 29 and its applicable Regulation, approve the changes to the O&M Agreement included herein, subject to any additional minor edits that may be requested by the P3 Authority's Board of Directors. Unanimous written consent from all Members of the Partnership Committee is required to approve the O&M Agreement.

Please provide your votes as soon as possible. As previously stated, all of the Members of the Partnership Committee must submit a vote in favor of the proposed amendments to the O&M Agreement in order to become approved.

We are available to discuss at your earliest convenience should you have any questions or require additional information.

Cordially,
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