



CHANGE ORDER(s)

CONTRACT CHANGE ORDER AUTHORIZATION NO. 4

DATED 10/1/1997

FILED WITH CONTRACT # 23336

(MONTENAY PACIFIC POWER CORPORATION)

OFFICE OF THE CITY MANAGER
CITY OF LONG BEACH
LONG BEACH, CA 90802

Change Order No. 4 Date: October 1, 1997
Contract No. 23336 Contractor: Montenay Pacific
Project: SERRF Power Corporation
Program No.: 550211

This Change Order: \$ 409,399 Prior Change Orders:
1) Capital Improvement \$500,000.00
2) Capital Improvement \$ 86,000.00
3) Capital improvement \$ 29,000.00

BACKGROUND

This Contract Change Order is issued in accordance with provisions set forth in the Subject contract with reference to the following facts:

1. Section 4.2 of the contract to operate provides for reimbursement for all costs of any capital improvements approved by change order.
2. The Contractor submitted a Capital Improvement Cost Budget in the amount of \$ 409,399 which was approved by the Long Beach City Council on September 16, 1997.
3. Included in this budget is the cost to replace the 3rd pass damper in the boiler flyash removal system. The Scope of Work involves the engineering, fabrication, and installation of a rotary lock for ash removal from 2/3 pass at the boiler. The new sealed rotary lock will mitigate carbon monoxide (CO) emissions from the boiler, and fugitive dust. This modification will comply with the upcoming EPA's Most Achievable Control Technology (MACT) permit conditions which were imposed on SERRF by the 1991 Clean Air Act.
4. The City has requested that the Contractor install the new sealed rotary lock on all three boilers.
5. The Contractor solicited bids for this work.
6. The Contractor has selected Steinmuller for engineering and equipment. Installation will be performed by Superior Boiler Repairs on the mechanical aspect, and by Montenay Pacific Power Corp. on the programming and electrical aspect.

7. Steinmuller is the original boiler manufacturer who has successfully performed work at SERRF. Superior Boiler Repairs has performed work successfully at SERRF in the past few years. Montenay Pacific Power is the operator.

CHANGE IN SCOPE

The Contractor shall provide all labor, materials, and equipment to install a new rotary lock for ash removal from 2/3 pass on all three boilers at SERRF according to the Scope of Work attached.

SCHEDULE

The Contractor has estimated the schedule as follows:

- | | |
|--|---------------|
| 1. Engineering for Rotary Lock | 6 - 8 weeks |
| 2. Fabrication at Rotary Lock: | 12 - 16 weeks |
| 3. Installation during Boiler Fall Outage: | 1 week/boiler |

The work will be completed by December 1997.

CAPITAL IMPROVEMENT COST

The Contractor has estimated the cost as follows:

| | |
|---|-------------------------------------|
| Steinmuller (Engr/Fab) | \$ 286,875.00 (459,000 DM)exch. 1.6 |
| Superior Boiler Repairs (Mechanical Installation) | \$ 67,524.00 |
| Montenay Pacific Power (Electrical and controls) | \$ 6,000.00 |
| Custom, Taxes, Freight | \$ 12,000.00 |
| Contingencies (10%) | <u>\$ 37,000.00</u> |
| Total: | \$ 409,399.00 |

NO OTHER CHANGES

1. Except as specifically enumerated above, all other terms and provisions of the subject contract shall remain unchanged. The execution and delivery of this Change Order by the Contractor and the City shall not in any manner prejudice the rights which the Owner, the City or the Contractor may have to pursue any other claims which such party may have against the other, other than those claims which are the subject of the Change Order.

Charles R. Tripp 9/24/97

Charlie R. Tripp
Energy Recovery
Bureau Manager

Steve Passage 9/22/97

Steven Passage
MPC President

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

Raymond T. Holland 10/17/97

Raymond T. Holland
Director of Public Works

James C. Hankla 10-22-97

James C. Hankla
City Manager ASSISTANT CITY MANAGER

Approved as to form this 14th day of October, 1997

John R. Calhoun
City Attorney

By [Signature]
Deputy

Distribution:

- Original - City Clerk
- City Auditor
- Financial Management, Accounting
- Financial Management, Payments
- City Attorney
- SERRF Bureau Manager
- General Manager, SERRF Authority
- Plant Manager, MPPC, Long Beach

STATE OF NEW YORK
COUNTY OF NEW YORK

On September 22, 1997, before me came

Steven S. Passage
to me known to be the individual described in and who
executed the foregoing instrument and acknowledged that
he executed the same.

[Signature]
Notary Public

LORRAINE L. FEXAS
Notary Public, State of New York
No. 24-4944301
Qualified in Kings County
Commission Expires November 21, 1998

L. & C. Steinmüller GmbH, D-51641 Gummersbach

Montenay Pacific Power Corporation
Attn. Mr. Jayver
P.O. Box 21549

Long Beach, CA 90801 - 4549
USA

Your Ref., Your Message

Our Ref. / Ext.

Date

723 KA 2198

1997-06-27

SERRF / Long Beach
Your Order No. 0015 213 dated 1997-06-19
Our Job No. 21.6145

Dear Sirs,

We thank you for placing with us the order for

3 Sealed fly ash removal systems
for installation between the 1st and the
2nd/3rd boiler pass

Scope of supply as defined in your purchase
order under reference.

Total fixed price DM 459,000.-
exclusive of erection.

The delivery is scheduled by us for 1997-09-15.

In all other respects our attached Standard Conditions of Contract shall apply.

Kind regards,

L. & C. Steinmüller GmbH

ppa.

i.A.

(Lux)

(Schmidt)

Encl.

Copy: Mr. Schützendübel (by fax)

Commercial Conditions

The "Steinmüller Standard Conditions of Contract as of September 1994" shall apply in consideration of the following special conditions:

Price:

The price is quoted inclusive of airfreight to Los Angeles airport, but excluding VAT, customs duties and charges as well as any other costs raised on import or within the USA.

Terms of payment:

100 % after delivery and receipt of invoice, but at the latest 2 weeks after notification of readiness for dispatch, if the delivery cannot be carried out without any fault of us.

Place of settlement shall be Gummersbach. Title of the goods supplied shall remain with us until payment has been made in full.

Force Majeure

Should delivery or shipment be delayed or prevented for reasons beyond our control, we cannot be held responsible for any damage you may suffer therefrom.

Liability

Insofar as claims are asserted against us for bodily injury and damage to property we shall become liable to pay the following maximum sums under our third party insurance:

| | |
|-----------------|------------------------|
| DM 5,000,000.-- | for bodily injury |
| DM 5,000,000.-- | for damage to property |
| DM 500,000.-- | for pecuniary losses. |

Any damage other than the above or claims for the indemnification of damage not caused directly to the objects delivered (indirect and consequential damage) are excluded from our liability, unless such exclusions are barred by law.

Our liability for engineering services and for any faults in the documentation provided by us is limited to the provision of revised documentation.

Consequential damage

Indirect and consequential damage e.g. loss of production or loss of profit, is excluded for any legal reason whatsoever from our liability.



August 12, 1997

Mr. Charles Tripp
Energy Resource Recovery Bureau Manager
City of Long Beach
Department of Public Works
120 Henry Ford Avenue
Long Beach, California 90802

RE: Scope of Work for 3rd Pass Rotary Seal Lock

Please find enclosed the Scope of work for the 3rd Pass Rotary Sealed Lock.

If you have any questions, please feel free to call me at (562) 436-0636.

Sincerely,

Montenay Pacific Power Corporation

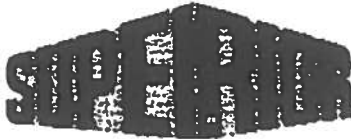
Yoon Chae
Plant Manager

YC/ng

cc: J. Iorga
J. Luque

**Scope of Work for 3rd Pass
Rotary Sealed Lock**

| | <u>Manhours</u> |
|--|------------------------|
| MPPC will supply E&I leadman, E&I Tech 1, and operator to implement the following: | |
| -Wire terminations from rotary sealed lock motors at each power supply. (Two per boiler) | 20 |
| -Wire terminations for inputs from MCC to DCS cards | 20 |
| -Programming of DCS and testing of logic for new rotary sealed lock and removing of the old logic. | 10 |
| | <hr/> |
| Price including material and labor for all three units. | 50 Manhours per boiler |
| | \$6,000 |



BOILER REPAIRS INC.

8204 S. Garfield Ave. • Bell Gardens, California 90201 • (310) 928-5508 • Fax: (310) 828-0558
State Licence No. 432017

June 27, 1997

Quote # 004

Montenay Pacific Power Corporation
100 Henry Ford Ave.
Long Beach, Ca. 90801-4549

Attn: Jayver Luque

REFERENCE: Bid Proposal for 3rd. Pass Damper Modification
Scheduled for the Fall Outage 1997.

Superior Boiler Repair's, Inc., agrees to REQUIREMENTS AND REFERENCED SEQUENCE OF WORK as listed in your June 16, 1997 Request for Bids.

- **Work Force will consist of a 6 Man Crew, 6 - 12 Hr. Days.
- **Superior Boiler Repair's, Incorporated Employee's will be paid in accordance with the prevailing wage scale for the ASME Code Pressure Vessel Repair's or Modifications.
- **Superior Boiler Repair's agrees to supply a signed copy of Montenay's Contract Terms and Conditions.

List of Subcontractor's:

1. Hartford Steam Boiler.

Total Price Per Boiler:.....\$ 22,508.00

- **Additional work not listed in the request for Bids, must be authorized in a purchase order form, prior to the completion of extra work.
- **Superior Boiler Repair's, Inc., Agrees to supply all Labor material's and tools unless otherwise noted.
- **Superior Boiler Repair's, Inc., Agrees to supply our AI Inspector and a R-1 report at completion of Project.

We appreciate this opportunity to submit this quotation. If you have any questions feel free to call 310 928-5509 or you may Fax your questions to 310 928-0558.

Sincerely,


Dave Laban
Director of Operations

\$52/hr.
199 hrs

| | 10/31/97 | 11/3/97 | 11/4/97 | 11/6/97 | 11/8/97 | 11/7/97 | 11/8/97 | 11/9/97 |
|--|----------|---------|---------|---------|---------|---------|---------|---------|
| Fail Outage | | | | | | | | |
| DATE: | | | | | | | | |
| Priliminary Setup | | | | | | | | |
| Stage Equipment | | | | | | | | |
| Stage Materials | | | | | | | | |
| Mobilize | | | | | | | | |
| Remove Lagging an Insulation | | | | | | | | |
| Drain the Boiler | | | | | | | | |
| Remove Flat Gate | | | | | | | | |
| Remove Cylinder,Arms,Damper | | | | | | | | |
| Cut Water Wall Tubes | | | | | | | | |
| Install Seal Plate Supports,Weld | | | | | | | | |
| Assemble Feeder | | | | | | | | |
| Connect Shaft, Motor, Gearbox | | | | | | | | |
| Weid Offset Tubes | | | | | | | | |
| Fill Boiler Hydrotest | | | | | | | | |
| Inspector Witness Hydrotest | | | | | | | | |
| Wire Motor to MCC Panel | | | | | | | | |
| Wire Zero Speed Switch | | | | | | | | |
| Test Run Unit | | | | | | | | |
| Release to Operations | | | | | | | | |
| Clean up Job site | | | | | | | | |
| Demobilize | | | | | | | | |
| Job Completed | | | | | | | 6:00PM | |
| Gantt Chart Indicates a Schedule of 6:00am to 6:00pm One Shift per Day | | | | | | | | |
| Man Power will be 6 men per Shift | | | | | | | | |

M.P.P.C. BOILER #2
Third Pass Damper Modification

| | 11/28/97 | 12/1/97 | 12/2/97 | 12/3/97 | 12/4/97 | 12/5/97 | 12/6/97 | 12/9/97 |
|---|----------|---------|---------|---------|---------|---------|---------|---------|
| Fall Outage DATE: | | | | | | | | |
| Preliminary Setup | | | | | | | | |
| Stage Equipment | | | | | | | | |
| Stage Materials | | | | | | | | |
| Mobilize | | | | | | | | |
| Remove Lagging an Insulation | | | | | | | | |
| Drain the Boiler | | | | | | | | |
| Remove Flat Gate | | | | | | | | |
| Remove Cylinder, Arms, Damper | | | | | | | | |
| Cut Water Wall Tubes | | | | | | | | |
| Install Seal Plate Supports, Weld | | | | | | | | |
| Assemble Feeder | | | | | | | | |
| Connect Shaft, Motor, Gearbox | | | | | | | | |
| Weld Offset Tubes | | | | | | | | |
| Fill Boiler Hydrotest | | | | | | | | |
| Inspector Witness Hydrotest | | | | | | | | |
| Wire Motor to MCC Panel | | | | | | | | |
| Wire Zero Speed Switch | | | | | | | | |
| Test Run Unit | | | | | | | | |
| Release to Operations | | | | | | | | |
| Clean up Job site | | | | | | | | |
| Demobilize | | | | | | | | |
| Job Completed | | | | | | | 6:00PM | |
| Gantt Chart Indicates a Schedule of 8:00am to 6:00pm One Shift per Day Man Power will be 6 men per Shift | | | | | | | | |

THE NATIONAL BOARD OF BOILER AND PRESSURE VESSEL INSPECTORS

Certificate of Authorization

Number - R 2733

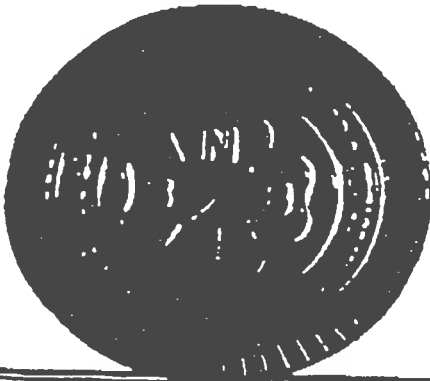
THIS IS TO CERTIFY that
SUPERIOR BOILER REPAIRS, INC.
8204 S. GARFIELD AVE.
BELL GARDENS, CALIFORNIA 90201

is hereby authorized to use the Repair Symbol
of The National Board of Boiler and Pressure Vessel Inspectors for

**"NATIONAL BOARD CODE REPAIRS AND/OR ALTERATIONS AT THE
ABOVE LOCATION AND EXTENDED FOR FIELD REPAIRS AND/OR
ALTERATIONS CONTROLLED BY THIS LOCATION"**

in accordance with the applicable rules of The National Board of
Boiler and Pressure Vessel Inspectors. The use of the Repair symbol
and the authority granted by this Certificate of Authorization are subject
to the provisions of the agreement set forth in the application. Any
repair stamped with this symbol shall have been made strictly in
accordance with the provisions of the National Board Inspection Code.
THIS AUTHORIZATION issued or renewed on March 20, 1995
and expires on **April 13, 1998** by

THE NATIONAL BOARD OF BOILER AND PRESSURE VESSEL INSPECTORS



Chairman

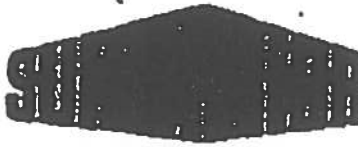
James Paul

Executive Director

Albert J. Justice

Secretary

Joseph R. Riechly

**BOILER REPAIRS INC.**

8204 S. Garfield Ave. • Bell Gardens, California 90201 • (310) 928-5509 • Fax: (310) 928-0558

State License No. 432017

RATE SHEET**TO OUR CUSTOMERS:**

We are pleased to inform you that we have been accepted, for the "R" stamp and the "PP" stamp. This allows the ability to perform work on pressure vessel code projects. Below we have added our new rates for your convenience.

UNITED STATES RATES:

| <u>CLASSIFICATION:</u> | <u>STRAIGHT TIME</u> | <u>OVERTIME</u> | <u>DOUBLETIME</u> |
|------------------------|----------------------|-----------------|-------------------|
| CONTROL TECHNICIAN: | \$55.00 | \$75.00 | \$88.00 |
| BRICKLAYER: | \$47.00 | \$65.00 | \$75.00 |
| BOILERMAKER: | \$47.00 | \$65.00 | \$75.00 |
| CODE WELDER: | \$47.00 | \$65.00 | \$75.00 |

TRUCK RATES:

\$ 8.00 per hour

****PLEASE NOTE****

Enerac Fee \$10.00 per hour, Emmission Test Equipment.

DOUBLE TIME:

Applies on Holidays; after 8 hours on Sunday and after 12 hours on continuous working time on a shift.

- A.) Applies if the job is out of the local area, outside the 75 mile radius of the shop. Plus expenses. \$60.00 per man per day.
- B.) Applies if the job is out of California. Plus Expenses. \$90.00 per man per day.

EQUIPMENT:

Equipment includes the following:

| | |
|---------------------|---------------------|
| Air Compressors | Air Tools |
| Tube Expanders | Oxy./Acet.Cut Tools |
| Welding Machines | Tube Rolling Equip. |
| Tube Removal Equip. | |

Sincerely,

Emil Miller
President

Phone: (310) 928-5509
Fax: (310) 928-0558

LUMP SUM TOTAL \$ 29,496.00 per boiler

If we can be of further assistance with respect to this or any other concerns, please do not hesitate to call.

Sincerely,


Frank Lopez

Stimated man power - five men crew x seven twelve hr shifts

1700/hr



IRWIN
INDUSTRIES
INC.

Montenay Pacific power Corp.
100 Henry Ford Ave.
Long Beach, California 90801

Attn. Mr. Jayver Luque

July 9, 1997

Subject: RFP: 3rd Pass Damper Modifications

Dear: Mr. Luque

In response to your request for bid on the subject project we offer a firm bid quotation of \$158,682.00 (One hundred fifty eight-thousand six hundred eighty two Dollars). Irwin Industries, Inc. will provide the necessary supervision, labor, equipment, and materials to complete the scope of work outlined in your job walk and bid documents received on 06/25/97. We take no exceptions to any of the drawings, sketches, bid specifications, or job site conditions.

This Irwin Field Service Proposal contains information that is confidential, privileged and/or exempt from disclosure under applicable law. The proprietary information contained herein is intended only for the individual or entity it has been assigned to, and may not be disclosed to any third party or be used in the preparation of request for quotation for equipment and/or field services by Irwin. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this information is strictly prohibited. If you receive this information in error, please call either individual below.

Proposal expiration date is 30 calendar days after submittal date. Please note that it is our practice to include a mark-up of (10%) for rentals, material purchases and subcontractors. Should you have any questions concerning this quote, please feel free contact William May at (562) 595-4747 ext. 3133 or Jeff Ponce at ext. 3152.

We look forward to working with Montenay Pacific Power Corp. in the future.

Sincerely,

William J May
Manager
Projects Division



P.O. BOX 1301
SAN PEDRO, CA 90733

PORT OFFICE (310) 549-8030
24 HOUR PAGE (310) 831-5115
TELEFAX (310) 549-7365

July 1, 1997

Montenay Pacific Power Corporation
P.O. Box 21549
100 Henry Ford Avenue
Long Beach, CA 90801-4549

Attention: Jaiver Luque

Subject: 3rd pass dampner modification

Reference: #97080

Dear Jaiver:

Marine Technical Services, Inc. (MTS) is pleased to present to Montenay Pacific Power Corporation a proposal for the following work:

SCOPE OF WORK

- Remove lagging and insulation
- Allow time to drain boiler
- Remove flat gate (dampner) including seal plate
- Remove cylinders and arms from dampner
- Cut side wall tubes to allow for shaft penetration
- Install seal plate supports and seals welded to membrane
- Install new offset tubes and membrane
- Fill boiler for hydro
- Supply inspector to witness hydro
- Install new refractory
- Assemble rotary feeder
- Connect shaft to gear box, and to motor
- Supply conduit and wire for power to motor
- Run control wires to connect for new speed switch and for new control system
- Test run unit
- Release to operations
- Clean up
- Dispose old material at metal container