



Official letter

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Corporate Finance Directorate
Risk Management and Assurance
Under-Directorate
Insurance and Surety Management



Se recibe escrito
con anexos en
copia simple para
DCF-SARA-GSF-SR-1691-2018
13:35pm RF-C-0005/18
SU REVISION 15-06-18
Karol B. Santiago G

Fianzas Dorama, S.A.
Blvd. Adolfo López Mateos No.2259
PB.
Col. Atlamaya. Mexico City.
C.P.017600

CLASSIFICATION:	Total <input type="checkbox"/>	Partial <input type="checkbox"/>	Reserved <input checked="" type="checkbox"/>	Confidential <input type="checkbox"/>
Pages:	1			
Date:	06/15/2018	Reservation period	During the claim	
Legal basis:	LFTAIP Article: 110 and LGTAIP 113. Section: XI (both Laws). Other			
Extension of the reservation period:	Files			
Part or section to be classified:	Insurance and Bails Management			
Administrative Unit	Insurance and Bails Management			
Name, position and initialled of the head of the Administrative Unit	Lic. Adriana Rendón Navarrete			
	Insurance and Bails Manager			

Subject: Bond Claim No. 000240A30014. Contract 421004821. Obligors Drake-Finley, S. de R.L. de C.V., Drake-Mesa, S. de R.L. de C.V. and Finley Resources Inc.

Vicente Martínez González, representative of Pemex Exploración y Producción, indicating as the address to receive notifications and documents the 2nd floor, building C, Marina Nacional Ave., number 329. Colonia Verónica Anzures, Miguel Hidalgo, Mexico City, Zip Code 11311, I respectfully state:

Pursuant to article 279 of the Insurance and Surety Institutions Law, I submit the present claim related to the bond No. 000240A30014, issued by Fianzas Dorama, S. A., by virtue of the breach incurred by the obligors Drake-Finley, S. de R.L. de C.V., Drake-Mesa, S. de R.L. de C.V. y Finley Resources Inc., to Contract 21004821, whose purpose is "Integral Drilling and Completion of Land Wells in the North and South Regions of PEP"

In order to comply with the provisions of the aforementioned law, as well as the requirements indicated in the text of the bond that is claimed, the following information is provided:

I. Claim date: June 15, 2018

II. Number of the surety policy related to the claim: 000240A30014 and seven endorsements to it.

III. Issue date of bond No. 000240A30014: February 26, 2014

IV. Bond amount: \$ 41,857,960.81 USD, according to bond endorsements.

V. Name of the obligor: Fiados Drake-Finley, S. de R.L. de C.V., Drake-Mesa. S. de R.L. de C.V. and Finley Resources Inc.

VI. Name of the beneficiary and its representatives: Pemex Exploración y Producción, represented by Gustavo Manely Contreras Rivera and Vicente Martínez González.



VII. Address to receive notifications: Floor 2, building C, Avenida Marina Nacional, number 329, Colonia Verónica Anzures, Miguel Hidalgo Delegation, Mexico City, C.P. 11311

VIII. Description of the obligation: The due fulfillment of the obligations derived from Contract No. 421004821 dated February 28, 2014 and its annexes, entered into between Pemex Exploration and Production and the Bonds Drake-Finley, S. de R.L. de C.V., Drake-Mesa, S. de R.L. de C.V. and Finley Resources Inc.

IX. Source Contract Reference: Contract 421004821, dated February 28, 2014, whose purpose is "Integral Drilling and Completion of Land Wells in the North and South Regions of Pemex Exploration and Production" signed between Pemex Exploration and Productions and the Obligors Drake-Finley, S. de R.L. de C.V., Drake-Mesa, S. de R.L. de C.V. and Finley Resources Inc.

X. Description of the breach that motivates the presentation of the claim: Pursuant to the Initiation of Termination and with the Resolution of the Administrative Termination Procedure, attached is in simple copy the breach of the obligors with their obligations, and in accordance with the terms provided in the Contract, the breach consists on the following:

- The contractor incurred, due to causes attributable to it, in the event of default provided for in subsection b), numeral 15.1 of Clause 15 of the Contract 421004821 that establishes "... b) *If the CONTRACTOR does not execute the Works in accordance with the stipulations of the Contract or without justified reason, it does not comply with the written orders given by the in-Site Works Manager.*" In particular, not to comply with the written orders given by the in-Site Works Manager regarding the signing of the Drilling Work Order 028-2016 and collection of the original and annexes of the Drilling Work Order 028-2016 and its technical supports to start drilling the Coapechaca 1240 Well, as well as absence to perform the verification tour.

- The contractor incurred for causes attributable to it, in the event of default provided for in subsection s), of Clause 15 of Contract 421004821 that establishes "s) In the event that the CONTRACTOR fails to comply with its obligations pursuant to the Contract." In particular, the contractor did not comply for reasons attributable to it with Clause 2.- Object of the Contract. 19 "Communications between the parties" and Annexes DT-2 "General and Particular Specifications and Annex DT-6 List - of Materials and Equipment to be provided at least by the Contractor", by not executing work orders or providing drilling equipment managed by the contractor or materials; also failing to communicate its change of address -For reasons attributable to the Contractor, it failed to comply with the provisions of Clause 48 Support for the Community and the Environment and therefore with the provisions of the PACMA Annex of the Contract.

XI. Amount claimed: \$ 41'857,960.81 USD.

For the purpose of integrating this claim, a copy of the following documentation is attached:

- 1) Performance Bond Policy number No. 000240A30014 dated February 26, 2014 with 7 endorsements.
- 2) Contract number 421004821, Appendix 1 and Annexes.
- 3) Amendment Agreement for the Payment and Billing Conditions and Assignment of Collection Rights and Memorandums of Understanding 1 to 5.
- 4) Official Letter PEP-OG-SSE-679-2017 that contains the Communication of Initiation of the Procedure of Administrative Termination of the Service Contract Related to Public Works No. 421004821. Deed 38,054 by means of which it was cited for notification of the Initiation of Administrative Termination of the Contract of Services Related to Public Works No. 421004821 issued by the Notary Public Number 4, in Poza Rica, Veracruz, Lic. María Nora Caballero Verdejo and Deed 4292 issued by the Notary Public Number 28, in Tampico Tamaulipas, Lic. Alejandra Ascorve Ochoa by which the Commencement of Administrative Termination of the Services Contract Related to Public Works No. 421004821 was notified.



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5) Instruction for Notification, Summons and Resolution of the Administrative Termination Procedure of the Contract of Services Related to Public Works No. 421004821. Act 91541 issued by the Holder of the Notary 237 Lic. Alfredo Ayala Herrera of Mexico City by means of which the delivery of the summons for notification of the Determination of the Procedure for Administrative Termination of the Contract of Services Related to Public Works No. 421004821 is recorded. Record 91575 issued by the Head of the Notary 237 Lic. Alfredo Ayala Herrera of Mexico City by which the notification of the Resolution of the Administrative Termination Procedure of the Service Contract Related to Public Works No. 421004821 is recorded.

6) With regard to the Settlement, the resolution dated October 2, 2017 is attached by means of which the Twelfth Metropolitan Regional Chamber of the Federal Administrative Court of Justice granted suspension to the bonds regarding the Settlement and the summons for its preparation.

7) Amount Claimed: **\$ 41'57,960.81 USD**

Therefore, we would be grateful if you could make its payment for the amount claimed to the following account to Pemex Exploración y Producción:

Bank: BBVA Bancomer, S.A. de C.V.

Place: Ciudad de México

Account: 044937511

Currency: Pesos

TAX ID: PEP 9207167XA

KEY account: 01279000444937511

We reserve the rights that derive from the original contract, the guarantee claimed, the claim procedure and the applicable legislation on the matter in favor of Petróleos Mexicanos.

Atentamente

Vicente Martínez González

Representative