

Bilfinger Berger UK Limited EDI	
Date Received	02 MAR 2012 (Scanned)
File Number	CJ-11122
Action	PMC 84
Distribution	



For The Attention of Martin Foerder  
Project Director  
Bilfinger Berger Siemens CAF Consortium  
9 Lochside Avenue  
Edinburgh Park  
Edinburgh EH12 9DJ

Our Ref: INF CORR 8173/W *ge*

Your Ref:

Date: 01 March 2012

Dear Sirs,

**Edinburgh Tram Network Infraco  
Cessation of Design North of York Place  
tie Change Order – tNC 593 and tCO 558**

In accordance with Clause 80 of the Agreement we enclose a copy of tie Notice of Change number tNC 593 together with tie Change Order number tCO 558, in accordance with Clause 80.15, for your action.

Yours faithfully



Julian Weatherley  
**Director of Project Delivery – Edinburgh Trams**

- cc Bob McCafferty      CEC
- Alan Coyle          CEC
- Colin Smith         HG Consultancy

Edinburgh Tram Offices, 9 Lochside Avenue, Edinburgh, EH12 9DJ Tel: +44 (0) 131

**tie CHANGE ORDER**



As per Agreement Clause 80

<b>Project:</b>	<b>INFRACO</b>
<b>Date:</b>	<b>1st March 2012</b>
<b>Change Estimate No:</b>	<b>Refer to TNC 593</b>
<b>Change Order No:</b>	<b>558</b>
<b>Change Description:</b>	<b>Cessation of Design North of York Place</b>
<b>Change Value</b>	<b>TBA</b>
<b>Scope of Works :-</b>	<p>Please cease any further design work on the Secondary Phase 1a (York Place to Newhaven) and package up the design in its current form along with a status report indicating what elements of the design have not been completed.</p> <p>The Settlement Agreement executed on 15 September 2011 sets out Infraco's obligations in respect of the design, viz. to complete the design for Phase 1a. Phase 1a consists of the Initial Phase 1a (Airport to York Place) and Secondary Phase 1a (York Place to Newhaven).</p> <p>Further, it has been agreed that Infraco shall only construct Initial Phase 1a and as such Infraco shall provide an Integrated Design Assurance Statement for this element of the Infraco Works.</p> <p>In respect of the cessation of the design for Secondary Phase 1a Infraco is required to issue to CEC a "<b>Closure of Secondary Phase 1a Design Report</b>" which will replace an Integrated Design Assurance Statement for the Secondary Phase 1a Design. The report will comprise a '<b>Civils Design Closure Report</b>' for the Civils Design and a '<b>System Design Closure Report</b>' for the Systems Design.</p> <p>The Civils Design Closure Report will wrap up geographical Sections 1A, 1B, and 1C.1 (the position of which has been modified to suit the termination point) and summarise elements of the Civil Design that remain to be completed. Similarly the System Design Closure Report will represent the status of design for all systems disciplines. It has been agreed that there will be no charge for the closure reports. Dwg. drawing formats are excluded from this.</p> <p>Infraco shall also include in the "Closure of Secondary Phase 1a Design Report" a liability disclosure statement for agreement with CEC in recognition of the fact that the design will not be assured for Secondary Phase 1a.</p> <p>In completing the design closure reports Infraco shall take due cognisance of the notes of the meetings held on 14th and 21st February 2012 appended hereto.</p>
<b>Relief required from compliance with Infraco obligations under the contract:-</b>	<b>None</b>
<b>Programme impact and required Extension of Time:-</b>	<b>No impact anticipated</b>
<b>Impact on Performance:-</b>	<b>None</b>
<b>Any additional Consents, Land Consents and/or Traffic Regulation Orders:-</b>	<b>None Required</b>
<b>Any amendment or revision required to existing Consents, Land Consents and/or Traffic Regulation Orders:-</b>	<b>None Required</b>
<b>Any new agreements with third parties:-</b>	<b>None Required</b>
<b>Any amendment required to the Agreement or the Key Subcontracts as a result of this Change: -</b>	<b>None</b>
<b>Proposed Method of Delivery of this Change:-</b>	<b>None</b>
<b>Any Changes required to the terms of the Agreement and/or the SDS Contract:-</b>	<b>None</b>
<b>Effect on Milestone Payments:-</b>	<b>BBS to update Milestone Schedule</b>
<b>Authorised:</b>	<b>Date: 1st March 2012</b>
<b>Title/Name: Julian Weatherley</b>	<b>Signature:</b>
<b>Received:</b>	<b>Date: 16-3-12</b>
<b>Name: Martin Field</b>	<b>Signature:</b>

**Notice of Change**



As per Agreement Clause 80

<b>Project Name:</b>	INFRACO
<b>Date of Issue :</b>	1st March 2012
<b>Response Required By :</b>	27th March 2012
<b>Notice of Change No:</b>	TNC - 593
<b>Title:</b>	Cessation of Design Work North of York Place
<b>Change Originator :</b>	Rob Leech
<b>Change Owner:</b>	Rob Leech

**Change Description:**

Please cease any further design work on the Secondary Phase 1a (York Place to Newhaven) and package up the design in its current form along with a status report indicating what elements of the design have not been completed

The Settlement Agreement executed on 15 September 2011 sets out Infraco's obligations in respect of the design, viz. to complete the design for Phase 1a. Phase 1a consists of the Initial Phase 1a (Airport to York Place ) and Secondary Phase 1a (York Place to Newhaven)

Further, it has been agreed that Infraco shall only construct Initial Phase 1a and as such Infraco shall provide an Integrated Design Assurance Statement for this element of the Infraco Works.

In respect of the cessation of the design for Secondary Phase 1a Infraco is required to issue to CEC a "Closure of Secondary Phase 1a Design Report" which will replace an Integrated Design Assurance Statement for the Secondary Phase 1a Design. The report will comprise a 'Civils Design Closure Report' for the Civils Design and a 'System Design Closure Report' for the Systems Design.

The Civils Design Closure Report will wrap up geographical Sections 1A, 1B, and 1C.1 (the position of which has been modified to suit the termination point) and summarise elements of the Civil Design that remain to be completed. Similarly the System Design Closure Report will represent the status of design for all systems disciplines. It has been agreed that there will be no charge for the closure reports. Dwg. drawing formats are excluded from this.

Infraco shall also include in the "Closure of Secondary Phase 1a Design Report" a liability disclosure statement for agreement with CEC in recognition of the fact that the design will not be assured for Secondary Phase 1a.

In completing the design closure reports Infraco shall take due cognisance of the notes of the meetings held on 14th, and 21st February 2012 appended hereto.

**Reason for the Change**

Design Cessation

**Estimate to be provided in accordance with Clause 80.2.2**

Estimate to be provided within 18 Business days (subject to Clause 80.3)

**Method of Payment. (as per Clause 80.2.3, Infraco Contract) :**

Rates and Prices as Schedule Part 4

**Changes required to the terms of the Agreement and for SDS Contract ( as per Clause 80.2.4, Infraco Contract)**

Not Required

**Supporting Correspondence/Documents Ref:**

<b>Requested by Title/Name:</b>	<b>Date:</b>	1st March 2012	
Julian Weatherley	<b>Signature:</b>		
<b>Received by Title/Name:</b>	<b>Date:</b>		
	<b>Signature:</b>		
<b>Funding Source</b>	<b>Saving</b>	<b>On Street / Off Street</b>	<b>On Street</b>
<b>Funding Available (Y/N)</b>	N/A		
<b>Confirmed by Title/Name:</b>	<b>Date:</b>	1st March 2012	
Gary Easton	<b>Signature:</b>		
<b>Approved by Title/Name ( GC ) :</b>	<b>Date:</b>		
Alan Coyle	<b>Signature:</b>		

**Edinburgh Tram Network  
Meeting Minutes**

<b>Subject</b>	Closure of Secondary Phase 1a Design Meeting	<b>Location</b>	Training Room , Edinburgh Park
<b>Date</b>	14 February 2012	<b>Time</b>	12h30
<b>Attendees</b>	<b>Representing</b>	<b>Attendees</b>	<b>Representing</b>
Simon Nesbitt (SN)	BBS	Michael Wilken (MW)	BBS
Kevin Russell (KR)	BBS	Patrick Sculley (PS)	BBS
Elise Schneider (ES)	BBS	Alan Dolan (AD)	SDS
Alfred Brandenburger (AB)	BBS	Robin Goodwin (RG)	CEC
Frank Wenzel (FW)	BBS	Andy Conway (AC)	CEC
Shabu Dedhar (SD)	BBS	Rob Leech (RL)	T&T
<b>Distribution</b>	Attendees + M Foerder, D Gough, A Eickhorn (BBS); J Weatherley, G Easton (T&T); B McCafferty (CEC); C Smith (Hg Consulting)		

		<b>Action</b>	<b>Date</b>
<b>1.0</b>	<b>Introduction</b>		
<b>1.1</b>	Further to discussions in the DC&C Control meeting and Cost Engineering workshops and initial meeting held 03 February 2012, this meeting is to agree the current status of the Secondary Phase 1a Design (York Place to Newhaven) and agree the suitable finishing point for each outstanding design element with the intent to reduce all financial outgoings and review any potential savings for the project.	<b>Note</b>	
<b>1.2</b>	The following timelines for construction beyond York Place were considered to inform the discussions:  <ul style="list-style-type: none"> <li>- 0-5 years – Unlikely</li> <li>- 5-10 years– Likely</li> <li>- 0-15 years – Probably</li> </ul> <p>It was also noted that based on the above timeframes, it was highly likely that a significant design review and redesign would be required prior to construction (whether the design was completed at this time or not) and that any new designer/contractor would wish to implement their own design rather than the current design and hence the value of completing the remainder of this design at present has limited value for the project.</p>	<b>Note</b>	
<b>1.3</b>	Each outstanding Design item was reviewed in turn to discuss the current status and proposed finishing point. Items need to be considered technically, commercially/contractually and practically.  Each item and proposed actions are summarised below.	<b>Note</b>	

<b>2.0</b>	<b>Picardy Place</b>		
<b>2.1</b>	As agreed at Tram Design Working Group meeting on 11 Jan 2012, BBS/ SDS are to prepare Planning Submission based on the current layout and issue to CEC (as client) and not for formal Approval. This will allow CEC to discuss the implications of the design with the Cathedral in due course.	<b>SDS</b>	<b>27-02-12</b>
	There was a discussion on the status of the Technical Design. SDS advised that this was close to IFEA status. It was agreed that SDS would issue a statement on the current Technical Design status including any exceptions (i.e. York Place cellars).	<b>SDS</b>	<b>Mar 2012</b>
<b>2.2</b>	Discussion held on the Section 1C2 / 1C3 boundary. It was agreed that 1C2 boundary will be moved to Broughton Street / York Place Terminal Point and Picardy Place will be included in Section 1C1. SDS to review these boundary changes and reflect them in their DAS, design submissions and design closure reports.	<b>SDS</b>	<b>Mar 2012</b>
	BBS/SDS to consider and put forward proposal to close out the Section 1C DAS for the design assurance to York Place.	<b>BBS/SDS</b>	<b>Mar 2012</b>
<b>3.0</b>	<b>Tram Turnback Strategy</b>		
<b>3.1</b>	Tram Turnback Strategy Report and Design with CEC for Approval. It was agreed that CEC would review and provide comments/approval for York Place and Shandwick Place. SDS to then address any comments and obtain approval.	<b>CEC/SDS</b>	<b>Feb 2012</b>
	For Foot of the Walk and York Place "final layout" arrangements, any CEC comments on the submitted design will be noted as outstanding and to be resolved in due course. Comments to be listed as an exception, there will be no action for BBS/SDS to close these out.	<b>CEC</b>	<b>TBC</b>
<b>4.0</b>	<b>Traffic Modelling – York Place to Newhaven</b>		
<b>4.1</b>	No further works for BBS/SDS. It was noted that CEC has not yet instructed JRC to finalise VISSIM/VISUM modelling works that would be required to allow any revised LINSIG modelling to be completed. Meeting on 07 Dec 11 minutes this status.	<b>Note</b>	
	Workshop held 07 Dec 11 that provides current status of these works.	<b>Note</b>	
<b>5.0</b>	<b>Tramway Signage</b>		
<b>5.1</b>	Draft Proposal issued by SDS. It was felt that limited works beyond York Place and no benefit in progressing these works.	<b>Note</b>	
	BBS/SDS to issue final tramway signage proposal to CEC for works	<b>SDS</b>	<b>17-02-12</b>

	up to York Place only. Methodology to be discussed at next CEC-Infra Design Issues meeting 20 Feb 12.		
<b>6.0</b>	<b>Building Fixings – Specials</b>		
<b>6.1</b>	A number of special building fixings still to be installed beyond York Place that would require a special design. BBS/SDS to provide status of current Building Fixing tracker (YPL to NEW) and complete any special building fixing designs to York Place only. Nay "specials" between YPL and NEW to be advised within the tracker.	<b>BBS/SDS</b>	<b>Feb 2012</b>
	The pros and cons of removal of installed Building Fixings between York Place and Newhaven was discussed. This issue to be considered further by CEC.	<b>CEC</b>	<b>TBC</b>
<b>7.0</b>	<b>Blenheim Place</b>		
<b>7.1</b>	Works instructed under PMC 004. Limited works carried out by SDS prior to instruction to put on hold. It was agreed this was a straightforward design element not to progress further.	<b>Note</b>	
	T&T/CEC to issue letter to confirm no further works to be carried out on PMC 004.	<b>T&amp;T/CEC</b>	<b>20-02-12</b>
	SDS to confirm saving as limited works completed.	<b>SDS</b>	<b>27-02-12</b>
<b>8.0</b>	<b>Forth Ports (FP) Design Issues</b>		
<b>8.1</b>	The FP Design Issues tracker was developed jointly by T&T/CEC/BBS and SDS and has the status of the current design and each outstanding design issue.	<b>Note</b>	
<b>8.2</b>	<b>Pedestrian Crossing at Newhaven</b> Siemens to issue letter to CEC confirming that current SDS design is appropriate and any changes that would be required to be Siemens design in the future to allow designs to be aligned, such that this item can be closed by CEC.	<b>Siemens</b>	<b>17-02-12</b>
<b>8.3</b>	<b>Tower Bridge Place</b> SDS to withdraw IFEA design & Planning Submission for the revision that included 'steps' at the bridge. The previous IFC design with 'ramp' will be reinstated for CEC to progress in due course.	<b>SDS</b>	<b>Feb 2012</b>
<b>8.4</b>	<b>Road 7/8 &amp; Ocean Drive Verge/ Footway</b> IFEA for both designs has been issued by SDS to CEC for Approval. No further work for SDS/BBS.	<b>Note</b>	

<p><b>8.5</b></p>	<p>Gates and Fencing at Casino and Ocean Liner Terminal Confirmation on location of any relocated CCTV and other issues remain outstanding from FP; however, the position of the additional fence and gates at both locations has been approved by FP.</p> <p>SDS to issue the IFC based on previously agreed layout with notes that state that CCTV/lighting tower position to be confirmed with FP prior to construction.</p>	<p><b>Note</b></p> <p><b>SDS</b></p>	<p><b>Feb 2012</b></p>
<p><b>8.6</b></p>	<p>Lindsay Road / Ocean Drive / Old Port Road Cycleway IFC issued for this area "with tram" excluding Old Port Road Cycleway. IFC issued for this area "without tram" excluding tie in at Ocean Drive and Old Port Road Cycleway. Design is at a suitable point to hand over. Potential for different arm of CEC to carry out the lowering of Lindsay Road under TIF.</p> <p>SDS to issue briefing note summarising status of the designs.</p> <p>It was noted that as Old Port Road was not instructed, this would be a saving for CEC; however, this work may still need to be completed to close out FP issues.</p>	<p><b>Note</b></p> <p><b>SDS</b></p> <p><b>Note</b></p>	<p><b>Mar 2012</b></p>
<p><b>9.0 Road Safety Audit (RSA) – Designer’s Response</b></p>			
<p><b>9.1</b></p>	<p>Queries from RSA need a response via SDS report. SDS to finalise and issue designer’s responses for all sections including YPL to NEW to allow this to be recorded appropriately. BBS/SDS to finalise wording on road-rail interface to allow designer’s responses for each subsection to be issued.</p>	<p><b>SDS/ Siemens</b></p>	<p><b>Feb 2012</b></p>
<p><b>10.0 CEC Open Comments and Informatives</b></p>			
<p><b>10.0</b></p>	<p>Current "outstanding Technical issues" tracker was reviewed.</p> <ul style="list-style-type: none"> <li>- PPIs closed out by CEC.</li> <li>- No further works from BBS/SDS required on Section 1A comments/informatives.</li> <li>- E&amp;B issue – Siemens to issue report to close out</li> </ul> <p>Remaining open comments/informatives for YPL to NEW to be managed by CEC and noted as "details to be finalised". CEC Technical Comments tracker to be updated.</p>	<p><b>Note</b></p> <p><b>Note</b></p> <p><b>Siemens</b></p> <p><b>CEC</b></p>	<p><b>Feb 2012</b></p> <p><b>TBC</b></p>
<p><b>11.0 CEC Approvals Full and Final Approval</b></p>			
<p><b>11.1</b></p>	<p>Further to close out of item 9.1 above, CEC will then issue "full and</p>	<p><b>CEC</b></p>	<p><b>TBC</b></p>

	final" Approvals for each section with Exceptions Report.		
<b>12.0</b>	<b>IDC and Design Assurance Statements</b>		
<b>12.1</b>	DAS	<b>Note</b>	
	Noted that DAS is a snapshot in time so potentially a statement can be made within DAS listing exceptions/issues not addressed.		
	Further consideration by BBS/SDS required (particularly for Siemens as E&M design is system wide rather than by section).	<b>Note</b>	
	IDC Certificates – similar to DAS further consideration required on how this can be closed out.	<b>Note</b>	
	BBS/SDS to review appropriate way to close out Secondary Phase 1a Design and respond to CEC/T&T with proposal by 20 Feb 2012.	<b>BBS/SDS</b>	<b>20-02-12</b>
<b>13.0</b>	<b>Potential Savings</b>		
<b>13.1</b>	Consideration of potential savings.	<b>Note</b>	
	This was discussed further at the meeting. BBS/SDS advised that apart from Item 7.1 (Blenheim Place), there would be no savings.		
	<u>Next Meeting</u>		
	To be held w/c 20 Feb 2012; Infracore to confirm	<b>BBS</b>	<b>20-02-12</b>



### Edinburgh Tram Network Meeting Minutes

<b>Subject</b>	Closure of Secondary Phase 1a Design Meeting	<b>Location</b>	Meeting Rm 2, Edinburgh Park	
<b>Date</b>	21 February 2012	<b>Time</b>	12h00	
<b>Attendees</b>	<b>Representing</b>	<b>Attendees</b>	<b>Representing</b>	
Martin Foerder (MF)	BBS	Patrick Sculley (PS)	BBS	
Kevin Russell (KR)	BBS	Alan Dolan (AD)	SDS	
Simon Nesbitt (SN)	BBS	Colin Smith (CS)	Hg Consulting	
Elise Schneider (ES)	BBS	Andy Conway (AC)	CEC	
Shabu Dedhar (SD)	BBS	Rob Leech (RL)	T&T	
Michael Wilken (MW)	BBS			
<b>Distribution</b>	Attendees + A Brandenburger (BBS), D Gough (BBS), A Eickhorn (BBS); J Weatherley (T&T), G Easton (T&T); B McCafferty (CEC);			
		<b>Action</b>	<b>Date</b>	
<b>1.0</b>	<b>Introduction</b>			
<b>1.1</b>	Further to meetings held 03 and 14 Feb 2012, meeting held to review Infracore proposal for the Closure of Secondary Phase 1a Design (attached to minutes).	<b>Note</b>		
<b>2.0</b>	<b>Review of Infracore Proposal</b>			
<b>2.1</b>	AC confirmed that CEC agreed with the proposal in principle. However, he queried the statement on savings. CS advised that this proposal provided an overall "saving" to the Project. MF added that this allowed resources within all parties to focus on delivery of the works to be constructed as part of the Initial Phase 1a works.	<b>Note</b>		
<b>2.2</b>	It was agreed that the Design Closure Statements would provide the reference point for any future works by others for review against the baseline information.	<b>Note</b>		
<b>2.3</b>	RL raised concern in regards to the contents of Liability Disclosure Statement. However, he agreed that this would be reviewed once the statement was drafted and issued to CEC/T&T for comment.	<b>BBS/SDS</b>	<b>Mar 2012</b>	
<b>3.0</b>	<b>Timeframes for close out</b>			
<b>3.1</b>	BBS/SDS to draft initial documentation in approx 2 to 4 weeks. The documents would then be finalised following review by CEC/T&T.	<b>BBS/SDS</b>	<b>Mar 2012</b>	
	<b>Next Meeting</b>			
	No further meetings required at present. Actions to be tracked through DC&C Control Meeting.	<b>Note</b>		