
From: Fiona Dunn
Sent: 16 December 2009 09:03
To: John Casserly; Thomas Caldwell
Cc: Gail Blythe; Eric Smith; Malcolm Butchert; Michael Blake; Michael O'Connor; Michael Paterson; David Carnegie; Frank McFadden; Chris Bartynek; Graeme McGinty; Hazel Kennedy; Elaine Ross; Graeme Barclay
Subject: URGENT - BT Deferment and Betterment

John/Thomas

There is a developing discrepancy between tie's and BT's interpretation the Roads & Street Work Act. Steven Bell has asked that DLA are briefed and are asked to give an opinion.

To this end all the correspondence, estimates, hard copies of emails, minutes etc to and from BT need to be pulled together by close on Thursday to allow them to be reviewed on Friday morning.

I have asked Hazel and Elaine to pull together the correspondence at Infracore and forward it to you.

By copy of this to those on the cc list please could you forward any emails (or other communications that have not found their way into the central file) to John Casserly by close on Thursday night.

John/Thomas please could you pull together hard copies ready for review on Friday morning - Thanks

Give me a ring if you have any queries.

Regards

Fiona

From: Malcolm Butchert
Sent: 15 December 2009 22:46
To: Michael O'Connor; John Casserly; Frank McFadden; Fiona Dunn
Cc: Thomas Caldwell; Gail Blythe; Eric Smith
Subject: RE: BT Meeting 15-Apr-09 Deferment of Renewal Issues

Frank

This is quite a serious issue. We conclude that we would agree to disagree, but clearly this needs to be followed up

Please advise on the team to take this forward and whether you need Eric and I to do any more

Malcolm

From: Michael O'Connor
Sent: 15 December 2009 15:40
To: John Casserly; Frank McFadden; Fiona Dunn
Cc: Thomas Caldwell; Gail Blythe; Eric Smith; Malcolm Butchert
Subject: BT Meeting 15-Apr-09 Deferment of Renewal Issues

All,

There was some heated discussion regarding the issue of deferment of renewal at today's meeting and as discussed previously the main disconnect was that BT will calculate their deferment of renewal as a percentage of the cost they would have incurred if their term contractor (Fujitsu) had completed the works. **tie** insist that as per the NRSWA "Major Diversionary Works" the deferment will be calculated on Actual Costs. This is only an issue regarding the duct infrastructure works not the cabling as the costs are BT's for the cabling, although a case could be made that if **tie** had approached a BT accredited cabling contractor to complete the works then the costs would have been considerably cheaper than BT's direct labour.

BT will provide access to the completed pack for section 5C (including deferment calculations) and drawings for the Mound on Tuesday 22-Dec-09. I suggest subsequent to this we put up a robust response to 5C including all the exceptional items that would deem the Fujitsu rates invalid e.g. (exceptional stakeholder management; OOH working: Road closures ; Traffic management; rock; design costs; depth of dig) and complete our own calculations of the cost of deferment of renewal for The Mound and issue it to BT.

Regards,

Michael O'Connor
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