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**From:** Gill Lindsay  
**Sent:** 06 July 2009 09:02  
**To:** Jim Inch  
**Subject:** FW: Edinburgh Tram - Tram Project Board 08 July 2009  
**Attachments:** TPB Report 0910 Period 03.pdf

**Importance:** High

Jim

Following calls from Graeme Bissett and Andrew Fitchie DLA tonight's meeting will brief CEC on present position. Essentially position as you advised. Informal mediation last week. DLA instructed to complete their review of "option 1 " ie more aggressive use of contract and contractual remedies including DRP, consideration of mechanisms re visibility of contingent liability and potential consideration of remedies with PC Guarantee and Performance Bond and opportunities and risks of considering these mechanisms. The potential 12 parts of contractual works is understood to be whilst BB remain a partner and if consent was not reached, very likely liability in damages to them but there is a possibility of negotiation in relation to DRP.

DLA have not been again asked to consider if material or fundamental breach to give a view on BB's removal . Andrew's very informal view on the telephone is that DLA have not yet been given all the correspondence and diligence they would require to do before assessing but essentially there is no legal view on low or reasonable risk as there is no view yet.

I will explore all further at today's meeting and update again before your Wednesday meeting.

Gill

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**From:** Gill Lindsay  
**Sent:** 02 July 2009 16:19  
**To:** Jim Inch  
**Subject:** FW: Edinburgh Tram - Tram Project Board 08 July 2009  
**Importance:** High

Jim  
I have copied for your info the TPB papers which I receive for information. The meeting you referred to is next Wednesday. Seems no visibility yet in these papers of the update we discussed, this is likely to be tabled.  
Gill

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**From:** Alasdair Sim [<mailto:Alasdair.Sim@tie.ltd.uk>]  
**Sent:** 02 July 2009 15:49  
**To:** Alasdair Sim; [David Mackay](mailto:David.Mackay@LothianBuses.co.uk); [WWCampbell@LothianBuses.co.uk](mailto:WWCampbell@LothianBuses.co.uk); Dave Anderson; Sheena Raeburn; Donald McGougan; Donna Rodger; Phil Wheeler; Richard Jeffrey; Steven Bell; Stewart McGarrity; Alastair Richards - TEL; Graeme Bissett (external contact); Marshall Poulton; Dorothy Gray; [briancox@nildram.co.uk](mailto:briancox@nildram.co.uk); [carol.perkins@merseytravel.gov.uk](mailto:carol.perkins@merseytravel.gov.uk); [kenneth.hogg@scotland.gsi.gov.uk](mailto:kenneth.hogg@scotland.gsi.gov.uk); Allan Jackson; Gordon Mackenzie; Ian Perry; [NStrachan@LothianBuses.co.uk](mailto:NStrachan@LothianBuses.co.uk); [Peter.strachan@translink.com.au](mailto:Peter.strachan@translink.com.au)  
**Cc:** Susan Clark; Andy Conway; [icoupar@lothianbuses.co.uk](mailto:icoupar@lothianbuses.co.uk); Frank McFadden; Alan Coyle; Gregor Roberts; Gill Lindsay; Jim McEwan; Dennis Murray; Tom Buchanan; Maggie Chapman; Ailie Wilson; Claire Murray  
**Subject:** Edinburgh Tram - Tram Project Board 08 July 2009  
**Importance:** High

Dear All

Please find attached for your information the Tram Project Board Agenda and Papers for the meeting on **Wednesday 8<sup>th</sup> July 2009 at 10am**, here at the CityPoint Boardroom.

Hard copies of the attached will be posted in advance of the meeting.

**CEC00693609\_0001**

Should you require additional information or have any points of clarification, please do not hesitate to contact me.

Regards

Alasdair Sim  
Project Interface Director

**tie** Limited  
Citypoint  
65 Haymarket Terrace  
Edinburgh  
EH12 5HD



Email: [alasdair.sim@tie.ltd.uk](mailto:alasdair.sim@tie.ltd.uk)

[www.edinburghtrams.com](http://www.edinburghtrams.com)  
[www.tie.ltd.uk](http://www.tie.ltd.uk)

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