

## **ISSUES TO BE REFERRED TO MEDIATION**

1. Introduction to On Street - Supplementary Agreement
  - 1.1 Princes St Supplemental Agreement
2. Precedence of Schedule 4
  - 2.1 The following parts of the Infraco Contract are relevant to this issue - *Clause(s) 4.2, 4.3 and Schedule Part 4 (Pricing)* of the Infraco Contract .
3. Principle of evaluation of Change (Clause 80 operation and evaluation utilising Schedule 4)
  - 3.1 The following parts of the Infraco Contract are relevant to this issue - *Clause(s) 6.3.1, 10.2, 80, Schedule Part 4 (Pricing), Schedule Part 9 (Dispute Resolution Procedure)* of the Infraco Contract
4. Earthworks Outline
  - 4.1 Schedule Part 4, Clauses 3.3 and 3.6.
5. Accommodation Works Hilton Car Park
  - 5.1 The following parts of the Infraco Contract are relevant to this issue - *Clause(s) 18.17B and 83; Section 12 of Schedule Part 13; Appendix 9 to Schedule Part 13; and Schedule Part 13A* of the Infraco Contract
6. Value Engineering
  - 6.1 The following parts of the Infraco Contract are relevant to this issue Schedule Part 4 and Clause 5.
7. Financial aspects of EOT 1
  - 7.1 The following parts of the Infraco Contract are relevant to this issue - *Clause 80; Appendix F to Schedule Part 4 (Pricing); and Appendix G Schedule Part 4 (Pricing)* of the Infraco Contract
8. Agreement on BDDI (Drawings and other Docs)
  - 8.1 The following parts of the Infraco Contract are relevant to this issue - *Schedule Part 4 (Pricing) and Schedule Part 30 (Infraco Proposals)* of the Infraco Contract

9. Misalignment

9.1 The following parts of the Infraco Contract are relevant to this issue Schedule Part 4 and SDS Novation Agreement.

10. BDDI to IFC (Design Development, Design Due Diligence and Design Delay)

10.1 The following parts of the Infraco Contract are relevant to this issue - *Clause(s) 10, 80 and Schedule Part 4 (Pricing)* of the Infraco Contract

11. Agreement / Entitlement EOT 2

11.1 The following parts of the Infraco Contract are relevant to this issue - Clause 60, 61 etc

12. Off street top 5 issues (RRRW, Gogarburn Bridge, Carrick Knowe Bridge, Depot & Hilton Car Park)

12.1 tie's proposal spreadsheet.