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**From:** Robert Bell  
**Sent:** 04 February 2009 18:16  
**To:** Stefan.Rotthaus@bilfinger.co.uk  
**Cc:** Colin.Brady@bilfinger.co.uk; Jim.Donaldson@bilfinger.co.uk; Steven Bell; Frank McFadden  
**Subject:** RE: SRU Murrayfield

Stefan,

Reference our discussion at the photocopier this afternoon.

A reminder you are going to raise the SRU Accommodation Works programme with Jason, Allan and Kate at your meeting tomorrow and come back to me with a programme for the design works associated with this.

We didn't discuss the detail, but I need confirmation that the design will be complete in time to allow construction works to take place in a window from 01 June 09 to 31st October 09. Note that there is also an event (Oasis concert) at the stadium on 23rd June. It would be helpful if you can highlight Planning permissions/ Prior Approval submission dates etc and where you think tie can help by expediting early approvals.

Finally, on receipt of this info, I would like to finalise arrangements for a meeting with SRU to discuss both the programme and the development of the design to give them some assurance that both are now being dealt with in accordance with the 3rd Party Agreements'. Can you and Jim Donaldson confirm your availability along with SDS for a meeting with them on Monday 16th February in the afternoon (time to be confirmed),

Regards,

Bob.

-----Original Message-----

**From:** Colin.Brady@bilfinger.co.uk [mailto:Colin.Brady@bilfinger.co.uk]  
**Sent:** 04 February 2009 11:46  
**To:** Robert Bell  
**Cc:** Stefan.Rotthaus@bilfinger.co.uk  
**Subject:** RE: SRU Murrayfield

Bob

Stefan is back today and will respond to your request for a programme as soon as he can.

Our instruction to SDS to proceed with the VE design was issued on 30/1/09. I have sent a further copy direct to Jason.

Regards,

Colin Brady  
Project Director  
Bilfinger Berger Siemens CAF Consortium

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Registered in England and Wales  
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From: Robert Bell <Robert.Bell@tie.ltd.uk>  
To: "Colin.Brady@bilfinger.co.uk" <Colin.Brady@bilfinger.co.uk>,  
"Stefan.Rotthaus@bilfinger.co.uk" <Stefan.Rotthaus@bilfinger.co.uk>  
Date: 04/02/2009 11:37  
Subject: RE: SRU Murrayfield

Colin/Stefan,

I haven't received anything yet on the design programme, but I understand Stefan has been in Ireland for the past couple of days. Could I have this ASAP please.

Also, at the Design Issues meeting, on Tuesday, SDS confirmed they had still not received an instruction with respect to the VE design. Simon Nesbitt advised that this was being issued on the day. Jason suggested he hand collect it following the meeting. I also asked Simon if I could have a copy of the instruction to finally remove any dubiety as to whether it had been issued or not. I haven't received this either, but appreciate this may not have been in Simon's gift to issue (I also appreciate Colin's comments below wrt the bigger picture). Is it possible to have a copy of this now?

The SRU have now approached our Chairman as they are becoming increasingly concerned as to the lack of visibility of how we intend to progress works related to them and fulfil the obligations of their 3rd Party Agreement.

Regards,

Bob.

-----Original Message-----

From: Colin.Brady@bilfinger.co.uk [mailto:Colin.Brady@bilfinger.co.uk]  
Sent: 30 January 2009 12:00  
To: Robert Bell  
Cc: Alasdair Sim; Frank McFadden; Jim.Donaldson@bilfinger.co.uk; Michael Paterson; Stefan.Rotthaus@bilfinger.co.uk; Steven Bell  
Subject: Re: SRU Murrayfield

For clarity, BSC's position on Roseburn VE design is as follows :-

We have submitted what we believe to be a contractually clear position that the conditions precedent to your instruction to implement Roseburn VE have not been met. There is therefore no obligation on BSC to deliver the revised design at the VE price saving identified in Schedule 4. We have so far failed to respond to the detail of our submission in this respect, simply reiterating your instruction to proceed. This unresolved issue is one of many that need to be closed out as part of the ongoing management review currently in progress and which may be discussed at the meeting of principals on 9/2/09.

We appreciate that the form of structure shown in the selected Value Engineering option complies with the third party requirements and therefore, in practical terms, is what needs to be built. There have been discussions at management level (Bell/Walker) about possible compromise solutions to resolve the dispute over VE savings.

To realise any mutual advantage in a compromise solution, it is important that the alternative design be progressed such that construction in accordance with the revised programme remains feasible. We have therefore confirmed to SDS that they should proceed with the design, at our cost risk, in the meantime. If no progress is made on resolving the open issues, we would review whether to allow SDS to continue design works.

I am happy for Stefan to provide the design programme information that you are requesting, but please keep in mind the background to the situation, as described above.

Regards,

Colin Brady  
Project Director  
Bilfinger Berger Siemens CAF Consortium

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From: Robert Bell <Robert.Bell@tie.ltd.uk>  
To: "Stefan.Rotthaus@bilfinger.co.uk"  
<Stefan.Rotthaus@bilfinger.co.uk>  
Cc: "Jim.Donaldson@bilfinger.co.uk"  
<Jim.Donaldson@bilfinger.co.uk>, Michael Paterson  
<Michael.Paterson@tie.ltd.uk>, Frank McFadden  
<Frank.McFadden@tie.ltd.uk>, Steven Bell  
<Steven.Bell@tie.ltd.uk>, Alasdair Sim <Alasdair.Sim@tie.ltd.uk>,  
"Colin.Brady@bilfinger.co.uk" <Colin.Brady@bilfinger.co.uk>  
Date: 30/01/2009 11:40  
Subject: SRU Murrayfield

Stefan,

I was advised yesterday by Jim Donaldson and Jim Rice that BSC have now been instructed to carry out the VE design for Roseburn Viaduct. Can you confirm this is the case and the planned date for IFC.

Also, can you confirm when we will receive an estimate and programme for the Fenceline/Gatehouse works at Murrayfield Stadium as per our tie Notice of Change TNC 024, issued under letter referenced INF CORR 246, dated 16TH October 2008. The timing of these works is very sensitive to the SRU due to public safety considerations at various events.

Regards,

Bob.

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