

# EDINBURGH TRAM PROJECT

## MEETING OF TIE and TEL APPROVALS COMMITTEE TO CONFIRM THE AUTHORITY TO PROCEED WITH COMPLETION OF THE INFRACO CONTRACT SUITE

13th May 2008

Attending :

Willie Gallagher (tie Limited)  
David Mackay, Neil Renilson (Transport Edinburgh Limited)

### Establishment

The Committee noted that it had been established by the Boards of tie and TEL and approved also by the Tram Project Board, all on 23<sup>rd</sup> January 2008, as a means of ensuring the integrity of the governance process controlling the approval to sign the Infraco Contract Suite.

### Infraco contract

The Committee and each member individually noted that adequate information had been provided on which to competently proceed. In particular, the terms of the Infraco Contract Suite and all key related information had been set out in successive versions of :

- The Close Report prepared by tie Limited
- A letter from DLA providing an opinion on the legal competence of the Infraco contract suite and including a comprehensive risk matrix
- Supporting papers prepared by tie Limited addressing :
  - Detailed Infraco Contract Suite terms and conditions
  - Procurement process and risk of challenge
  - The final deal terms and relationship to value for money and the risk of challenge

The Committee noted that the final contract terms had been approved at a meeting of the Council's Policy & Strategy Committee earlier in the day.

The following documents were considered :

1. A copy of a letter from the tie Chairman to the Chief Executive of CEC requesting confirmation in relation to the tie Operating Agreement that the references to the Final Business Case should reflect the final terms of the Infraco Contract Suite and recommending that the completion of the Infraco Contract Suite should proceed.
2. A copy of a letter from the TEL Chairman to the Chief Executive of CEC requesting confirmation in relation to the TEL Operating Agreement that the references to the Final Business Case should reflect the final terms of the Infraco Contract Suite.
3. A letter from the Chief Executive of CEC to the tie Chairman confirming in relation to the tie Operating Agreement that the references to the Final Business Case should reflect the final terms of the Infraco Contract Suite.

4. A letter from the Chief Executive of CEC to the TEL Chairman confirming in relation to the TEL Operating Agreement that the references to the Final Business Case should reflect the final terms of the Infraco Contract Suite.
5. A letter from the Chief Executive of CEC to the tie Chairman confirming that the tie Chairman had authority to proceed to complete the Infraco contract Suite.
6. The tie Operating Agreement
7. The TEL Operating Agreement

The terms of these draft documents was noted as in acceptable form by all parties. The Committee and each individual member confirmed that authority should thereby be given to the tie Chairman to proceed with completion.

It was also noted that the completion process would incorporate the signing of the respective operating agreements.

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Willie Gallagher  
tie Executive Chairman

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David Mackay  
TEL Chairman

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Neil Renilson  
TEL Chief Executive

[ May 2008 ]