
From: Hudson, Steve [Steve.Hudson@carillionplc.com]
Sent: 25 June 2008 14:07
To: Steven Bell
Subject: RE: Edinburgh Tram Network: MUDFA Works: Position Papers

Importance: High

Steven,

A brief update in advance of tomorrow regarding progress as i understand it.

Valuation Matters.

Following last weeks meeting between John and Taryne, Keith and John are meeting today. My expectation is that the 'measurement' issues should be resolved in this meeting and protocols established regarding how these items are quantified and valued.

This will then leave us with 'delay,disruption and dis-location' assessment and evaluation albeit i expect the principles to have been aired and hopefully a way forward suggested by Keith and John. To aid this process I know that John has been presented with various details showing how 'change' has resulted in 'increased complexity' and 'scope growth', which then lead to loss of productivity. Clearly this is now a significant cost head and a agreement on the way forwrd is critical.

Programme.

A current draft version of Rev 07 has now been handed to Graham and discussed. This reflects our best projection based on the info currently available. This has moved from the draft a few weeks ago due to late receipt of Enabling works details and then the growth in scope shown therein. This results in a further programme slippage in certain key areas, namely Haymarket.

Resources have been profiled to match that which we have recruited in anticipation of works release but clearly there are a number of programme risks remaining i.e. delay in drawing issue, growth in work scope and TM restrictions. Based on the programme as presented i believe we need to consider the risks inherit therein and consider the best course of mitigation to avoid future problems. I have asked Dave to discuss this with Graham in advance of tomorrow.

In general, I am confident that tomorrow we will be able to have an informed discussion on all the relevant subject matters and hopefully we will have some proposals from the team!

Regarding the movement from Rev 06 to Rev 07, I am confident that the principle reasons for delay are down to matters outside of our control and/or were subject to qualifications and exclusions contained in Rev 06. Therefore we need to agree a mechanism for reimbursement in line with our agreements associated with Rev 06 and to replicate the risk/opportunity balance established at that time. This is critical, as both Rev 06 and Rev 07 have been produced on a 'reasonable endeavours' basis rather than an 'entitlement' basis - to reflect the collaborative approach we have both adopted to the Contract.

I will call you later with any update and look forward to our meeting tomorrow.

Regards

Steve Hudson
Commercial Director
Carillion Utility Services

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From: Steven Bell [mailto:Steven.Bell@tie.ltd.uk]
Sent: Tuesday, June 17, 2008 7:23 AM
To: Hudson, Steve
Cc: Dennis Murray; John Casserly; Graeme Barclay; Julie Smith; Julie Thompson; Gourlay, Keith; Smith, David
Subject: RE: Edinburgh Tram Network: MUDFA Works: Position Papers

Dear Steve,

Thursday afternoon or Friday next week are most appropriate dates for a meeting. I will confirm details and attendees for **tie** and advise you later this week.

We are reviewing the suggestions that there remains unanswered correspondence and will close that off in the same timescales.

I note your comments regarding Revision 07 of the programme. I am rather surprised that you seem to have omitted any reference to outputs, resources and supervision and other items that **tie** would consider are Carillion responsibilities under the contract and are likely to have a material bearing on the need and final shape of the revision 07 programme.

I will arrange for an appropriate agenda to be prepared which will need to draw out the points made by both **tie** and Carillion in order to achieve any kind of satisfactory agreement. I look forward to the discussion.

Yours sincerely,

Steven Bell
Edinburgh Tram Project Director

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From: Hudson, Steve [mailto:Steve.Hudson@carillionplc.com]
Sent: 16 June 2008 22:18

To: Steven Bell

Cc: Dennis Murray; John Casserly; Graeme Barclay; Julie Smith; Julie Thompson; Gourlay, Keith; Smith, David

Subject: RE: Edinburgh Tram Network: MUDFA Works: Position Papers

Steven,

As discussed last week over the phone, the contractual basis of our entitlements is documented in the letters referenced in the text of our Position Papers. Whilst a number of these correspondence remain unanswered the principles have been subject of much discussion at Contract level.

In this respect I'm pleased that Keith and John have a meeting arranged for this Wednesday (18th) to discuss all the measurement issues as well as the applicability of the Schedule 4 rates and prices - as set out in our letter of the 11th March. At this meeting Keith will set out our view of general delay and disruption as related to the Schedule 4 rates and prices.

In light of this meeting I suggest that we meet next week to review progress and provide any necessary direction for conclusion.

At present, I can make any day next week to suit your availability.

I would also hope that by the end of this week we will have a Rev 07 programme to discuss and agree, that has been jointly developed taking due cognisance of all relevant factors, such as; Enabling works, TM restrictions, concurrent work sites, Infracore programme, resource profile etc. Prior to adoption however, we will need clarity on the following;

- Award of appropriate EOT and movement of the Longstop Date to reflect the new programme.
- Confirmation that Prelims are reimbursed in line with new programme
- Confirmation of payment methodology for Enabling Works
- Ditto Traffic management

Clarity on the above is essential for ourselves in order to manage our risk associated with the programme.

Pls review your availability for next week and advise accordingly. Also, should you wish, we can discuss any aspect herein.

Regards

**Steve Hudson
Commercial Director
Carillion Utility Services**

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From: Steven Bell [mailto:Steven.Bell@tie.ltd.uk]
Sent: Wednesday, June 11, 2008 3:28 PM
To: Hudson, Steve
Cc: Dennis Murray; John Casserly; Graeme Barclay; Julie Smith; Julie Thompson
Subject: Edinburgh Tram Network: MUDFA Works: Position Papers

Dear Steve,

Further to our discussions last week, I can confirm we received 3 position papers from Keith Gourlay and David Smith on 4 June 2008 covering the following topics:

1. Hand digging
2. Traffic Management
3. Disrupted Plant

My initial review notes that your papers make little reference to the relevant parts of the Contract to support your submission for additional costs and I find that lack of linkage to a perceived contractual entitlement surprising.

tie will be commenting formally on each with a target of response by Friday 13 June.

I would then like to meet with you to reach a conclusion on each (and on the paper on rates and prices **tie** provided to you on 4 June) w/c 16 June.

The following times work for me:

Tuesday 17 June 1000-1300
Thursday 19 June 1400-1600
Friday 20 June 1100-1700

Can you please confirm which suits best?

In addition, having addressed the specific principles raised above, I would like clarity on the issue you have intimated regarding potential contract wide delay and disruption. When can **tie** expect confirmation of your position regarding this?

I will call you to discuss the above later today.

Yours sincerely,

Steven Bell
Edinburgh Tram Project Director

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