
From: Jim McEwan
Sent: 21 February 2008 00:14
To: Geoff Gilbert; Steven Bell; Stewart McGarrity; Matthew Crosse
Cc: andrew.fitchie@dlapiper.com; Dennis Murray; Richard.Walker@bilfinger.co.uk;
Scott.McFadzen@bilfinger.co.uk
Subject: RE: SDS Novation Issues 240208

All

I had a discussion with Willie tonight and he has asked me to forward the following message:

Message from Willie Gallagher

I have been informed of the disappointing progress in concluding the negotiations and in particular the completion of the novation of the SDS contract. Unless there is substantial progress over the next 2-3 days to complete this vital aspect of the overall programme then I will return early from my holiday in South Africa next week with a view to making the necessary representations to our key stakeholders to cessate the current process.

It is entirely untenable in my view that this deal will go ahead without the completion of this novation and it will be my duty in safeguarding the public purse to advise the City of Edinburgh Council that we should now deselect the current preferred bidders and pursue a different route. There should be no false illusions about my determined intent on this, whilst this will represent a disappointing setback it is altogether preferable to the alternative of concluding this contractual process without said novation being completed.

In the event of this unsatisfactory outcome we will explore fully the options and redress available to us.

Willie
