
From: Fitchie, Andrew [Andrew.Fitchie@dlapiper.com]
Sent: 24 August 2007 18:17
To: Gill Lindsay; Andrew Holmes
Cc: Lesley McCourt; Fitzgerald, Sharon; Colin MacKenzie; Graeme Bissett (external contact); Alasdair Sim; Jim Inch; Susan Clark
Subject: RE: Agenda for Tram Legal Affairs Group
Attachments: 15404409_4_UKMATTERS(Infraco Risk Allocation Matrix 23.08.07.).DOC; 13169821_4_UKMATTERS(Infraco Contract - 8 March 2007).DOC

Follow Up Flag: Follow up
Due By: 30 August 2007 00:00
Flag Status: Flagged

Gill

Draft Infraco Contract

Please find attached the Risk Matrix on the Infraco to which I intend to speak on Thursday. This reflects the risk allocation start point in the version of the Contract actually under negotiation by **tie** with the bidders. It cannot, at the moment, capture the focused work in progress emerging from on going bidder engagement as, I believe, has been explained by Lesley.

The Infraco Contract version I understand was released by **tie** to you yesterday is in fact a working draft of the Infraco Contract which contains additional drafting to reflect (a) the detailed alignment of the Infraco and Tramco Contracts (Tramco Contract was issued 6 months prior Infraco ITN): and (b) a variety of commercial adjustments which have been under discussion internally by **tie**. The Risk Matrix does not express the absolute entirety of Infraco contractual obligations transferring risk, but it is very comprehensive.

In terms of evolution of risk allocation under the draft Contract (since ITN), the most expedient means here would be a short note from us summarising the main points. We will produce this early next week, check with **tie** and present on it on Thursday.

Tramco Contract Risk Allocation

We will produce this as soon as possible in co-operation with Lesley , as I understand has been agreed, to reflect most recent bidder negotiations/clarifications. As you may know, our Leeds team has been handling support for **tie** on this element of the transaction and we are working with them on this. I am not certain that time will permit covering this as well at Thursday's session but a start should be possible.

Should any point require further discussion prior to Thursday, please let me know.

with kind regards

From: Gill Lindsay [mailto:Gill.Lindsay@edinburgh.gov.uk]
Sent: 24 August 2007 14:38
To: Fitchie, Andrew
Subject: RE: Agenda for Tram Legal Affairs Group

Andrew

It would be very helpful to me to have sight of Risk Matrix and other material you are to present in advance to allow a real discussion and clarification of any issues pl. I would also greatly appreciate your earlier risk matrix or assessment /advice re risk issues pre bafo stage. Colin advises that he has not been able to source the pre bafo documents to consider prior to Thur. I would be extremely grateful if you could arrange for e mail versions of the latest copy conditions you have access to to enable immediate consideration.

Look forward to hearing your advice and seeing you next week.

Kind regards

Gill

From: Fitchie, Andrew [mailto:Andrew.Fitchie@dlapiper.com]
Sent: 24 August 2007 13:00
To: Alasdair Sim; Jim Inch; Gill Lindsay; Andrew Holmes; Graeme Bissett; Susan Clark; Willie Gallagher; Lesley McCourt
Subject: RE: Agenda for Tram Legal Affairs Group

Thank you Alasdair and noted.

kind regards

From: Alasdair Sim [mailto:Alasdair.Sim@tie.ltd.uk]
Sent: 24 August 2007 11:39
To: Jim Inch; Gill Lindsay; Andrew Holmes; Graeme Bissett; Susan Clark; Willie Gallagher; Lesley McCourt; Fitchie, Andrew
Subject: Agenda for Tram Legal Affairs Group
Importance: High

Dear All,

Please note the proposed agenda for the Legal Affairs Group meeting scheduled for 16:30 on Thursday 30th August at Waverley Court.

Regards
Alasdair

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