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**From:** Fitchie, Andrew  
**Sent:** 29 September 2007 11:23  
**To:** 'Steven Bell'; 'Willie Gallagher'; 'Matthew Crosse'; 'Graeme Barclay'  
**Subject:** RE: Presentation

Steven

I have spoken with Fenella Mason, my contentious construction partner, and we will be coming back to you Monday/Tuesday for meetings with John M, John C and Graeme.

The piece on SDS contract and Utilities Contracts is with me but more important is to start the claim mapping exercise with you. Please keep me posted on the Settlement Agreement progress.

kind regards

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**From:** Steven Bell [mailto:Steven.Bell@tie.ltd.uk]  
**Sent:** 28 September 2007 12:32  
**To:** Willie Gallagher; Matthew Crosse; Graeme Barclay  
**Cc:** Fitchie, Andrew  
**Subject:** RE: Presentation

Willie,

We have had a long and detailed discussion on many of these issues at the Critical Issues meeting this morning. I have summarised my comments below against each relevant section.

On a more detailed basis we have identified a range of additional items or action which we believe will make a difference. I will give you a call after my BT meeting to discuss and document the approach for you over the weekend.

Steven

Steven Bell  
Engineering and Procurement Director

**tie** Limited  
Citypoint  
65 Haymarket Terrace  
Edinburgh EH12 5HD

Tel: [REDACTED]  
Fax: +44 (0) 131 622 8301

Email: [steven.bell@tie.ltd.uk](mailto:steven.bell@tie.ltd.uk)

[www.transforedinburgh.com](http://www.transforedinburgh.com)  
[www.tie.ltd.uk](http://www.tie.ltd.uk)

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**From:** Willie Gallagher  
**Sent:** 28 September 2007 10:58  
**To:** Matthew Crosse; Steven Bell; Graeme Barclay  
**Cc:** Fitchie, Andrew  
**Subject:** FW: Presentation

Comments please.

Willie

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**From:** Reynolds, Steve [mailto:ReynoldsS@pbworld.com]  
**Sent:** 28 September 2007 09:56  
**To:** Willie Gallagher  
**Subject:** RE: Presentation

Dear Willie

Thank you very much for your email. Following receipt of your email from yesterday I undertook a through review with my team and this email summarises my findings. Whilst I was unable to attend the MUDFA Sub-committee Meeting on Wednesday, I was present for the discussion on MUDFA which took place at last Friday's Critical Issues Meeting, and I have also had a number of conversations with Steven Bell on the subject. Let me say immediately that I fully appreciate and share your concern over the delays to production of the IFC drawings. I believe the challenge is to introduce changes to current methods of working such that all parties are properly engaged and committed to delivering in line with the Utilities Diversion design and construction targets.

Agree exactly and the detail of that is the key to solve the issues.

The programme for production of the IFC drawings by SDS depends critically on the commitment of the SUCs. At the time PB was bidding for the SDS Contract we were provided via the Data Room with Draft Agreements (drawn up by DLA) between **tie** Limited, the City of Edinburgh Council, and each of the SUCs. These Agreements had been prepared in recognition of the fact that SDS would require information from the SUCs in order to complete the utilities diversions designs. The Agreements call for each of the SUCs to provide detailed information for this purpose and also highlight the need for that information to be made available sensibly in advance of the award of the MUDFA Contract. In the event the response from the SUCs was patchy. Information was provided in the required timeframe by a number of SUCs but in several cases proved not to be to the expected level of detail. One SUC, BT Openreach recognised the need for detailed information but has repeatedly failed to meet required sectional completion dates to the extent that several packages are still outstanding long after the MUDFA Contract was awarded. Given the need for composite drawings to be produced by SDS, detailing not just the specifics of the individual utility designs but also the integration between them, this failure by BT has resulted in serious delay to all subsequent milestones, including final delivery of the IFC drawings.

Openreach BT is a significant problem and I am meeting them today at 1pm. I do believe we have to find a different way with them which may involve contractual or regulatory driven remedy with BT as well as BT implementing increased resources and holding no further slippage, then starting to catch up.

Once composite drawings have been prepared by SDS they are circulated for review and approval to each of the SUCs. The programme to date has been based on a four week duration for this activity. In practice four weeks has proved to be too short a period for Scottish Water with the result that final IFC milestones have slipped further. I understand from reading the MUDFA Sub-Committee papers prepared for the 26 September meeting that **tie** has now proposed that the period for SUC review and approval be reduced to two weeks. Experience to date suggests that Virgin Media, Thus, and Cable & Wireless will all have difficulty in meeting this revised target and I am not aware that Scottish Water has introduced the changes which would be required to improve performance to the required level. In this context it should be noted that the weekly workload arising from the responsibility for review and approval of the SDS drawings by the SUCs has yet to peak.

**tie** is already seeking to formally agree this accelerated timescale, however certain utilities may prove resistant. This will be crystallised next week and we (**tie** & SDS) will prepare a specific strategy to address any such utility. Improved working with

Problems with approval of SDS designs have also arisen due to the delay to the conclusion of a commercial agreement between **tie** and Scottish Gas. In the absence of an agreement it has not been possible for SDS to secure final approval, although SDS has been promoting an approach based on technical approval subject to later commercial endorsement.

There is an interim solution SDS are progressing and the finalisation of the commercial discussions next week (1/10 & 5/10) should allow full progress on technical approvals. I have requested that SGN progress now on the basis that the commercial agreements will be completed during next week.

It should also be noted that the designs which have been submitted for the Scottish Water, (Foul), diversions have been produced in the absence of a complete set of manhole data. AMIS is responsible for providing the required data and SDS has had to work to complete designs without full information in order that programme impacts in this area are minimised.

The real history is that SW should have provided this information originally to SDS. Tie decided this was unlikely to arrive and instructed a variation, via AMIS to undertake the necessary survey work. This is currently 75% complete. SDS have been proceeding at risk by making assumptions on sections. This is not a particularly significant issue.

My understanding is that a commercial agreement has now been concluded with Scottish Gas, and whilst there are several issues which need to be addressed to ensure timely completion of the remaining IFC drawing packages, two issues stand out as critical, viz;

- Continuing delay in the provision of design information from BT Openreach
- Failure by Scottish Water to meet the durations allocated within **tie**'s MUDFA programme for design review and approval.

Meeting with Openreach BT today as previously advised. Action plan following that will be formulated for Tuesday latest.

Scottish Water design and review timescales are being facilitated by key tie staff. Part of the delay in SW approval was the poorer quality design submission and resubmission from SDS. This has been addressed to provide an improvement but the residual issues are still working through.

In addition to the discussions which I understand have now commenced between **tie** and SUC senior management a comprehensive action plan has to be formulated. MUDFA programme delivery is now on the agenda at the weekly Critical Issues meeting and I am proposing that the following items be added to the debate this week.

- The pros and cons of drafting a new IFC Delivery programme based on realistic periods for SUC review and approval
  - *Introducing more realistic periods for SUC review and approval carries with it the risk that the achievement of some milestones may be delayed. To offset this the whole programme should be reassessed with a view to relating sectional IFC drawing delivery dates more closely with MUDFA start-of-construction dates. In addition effort should be focused more sharply on early priorities. Some work is still progressing against out-dated schedule targets in areas where MUDFA construction work will no longer be undertaken – Section 5A for example, where utilities diversions will now be the responsibility of Infracore.*

The risk is noted and we are all taking mitigating actions to minimise this. However, the initiatives being progressed with AMIS on RATS proposals will help offset this in sections 5C, 6 and 7A. SDS has committed to support this. In addition, the Revision 6 programme is being prepared will be subject to detailed challenge and review at a local section level to ensure the design IFC delivery is absolutely aligned with construction start priority.

- The need for **tie** to secure the buy-in from the SUCs to any revised programme. Given the critical dependence of IFC milestone dates on earlier SUC activities this is essential and any concerns over SUC commitment must be highlighted as early as possible.

Agreed and this is being addressed with each organisation now.

- **tie** to consider the appointment of a replacement “Technical Liaison with Utilities” Manager. I understand that this position on the **tie** organisation chart has been vacant for some six weeks following the departure of the previous incumbent.

Technical Liaison is being progressed with Alan Hill; Jim Johnston and the 2 project managers (Ian Clark and Michael Blake) accountability and contacts are clear. We have agreed today that the “best person for the job (e.g. J Johnston for SP)” will lead the approach with each SUC.

- The frequency of meetings with BT should be increased. Currently SUC management meetings are held with each SUC each period but it is evident that a more constructive relationship needs to be developed with BT. I understand that this is likely to require a significant increase in resources within BT for the initiative to succeed.

This is being addressed today at my meeting. I expect to have to work this particularly hard using a number of levers.

In my view, however, the number one priority in relation to unlocking the current logjam is for **tie** to enforce its contractual Agreement with BT Openreach.

Thorough discussion and analysis of problems / barriers to completion was undertaken at the critical issues meeting. Key actions have been agreed by SDS and tie and I will run through those with you on Monday night after the SGN meeting.

I confirm that I will be in attendance at the next MUDFA Sub-Committee meeting which I understand has been scheduled for 24 October. In the meantime I would be pleased to meet with you if required to discuss any other matters arising and I shall also give you a call today to talk things through.

Best regards - Steve

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**From:** Willie Gallagher [mailto:Willie.Gallagher@tie.ltd.uk]  
**Sent:** 28 September 2007 09:41  
**To:** Reynolds, Steve  
**Subject:** RE: Presentation

Steve,

I gather that you feel a bit sore concerning the MUDFA situation. I would like to sit down and talk to you frankly about why I reacted in the manner I did. Basically, last month I have a collective assurance from my Graeme & your Jason on Programme, this month – no dates hit and we have AMIS sitting in the corner preparing their claim. My frustration is not a PB singular attack, it is with the entire team as my tie management team are now fully aware - it will cost them significant money if October dates are not achieved.

We need to crack these SUC and Programme Issues now or Tram will end up going nowhere.

If you wish to call me, I am on [REDACTED]

Willie

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**From:** Reynolds, Steve [mailto:ReynoldsS@pbworld.com]  
**Sent:** 26 September 2007 14:23  
**To:** Willie Gallagher  
**Subject:** Presentation

Willie

Thank-you for the opportunity to meet with you last week. Following that meeting I have now reviewed the information we have which describes the vision for the Tram Network. I have arranged for the material to be put together to provide a comprehensive overview of the design intent so if you could let me know when would be most convenient for you to spend some time we'd be pleased to meet with you to go through the presentation and focus on the key highlights.

Regards - Steve

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