
From: Fitzgerald, Sharon
Sent: 18 March 2005 17:01
To: 'James Papps (E-mail)'
Cc: Fitchie, Andrew
Subject: FW: TSS/SDS Update/Outstanding Issues

Importance: High

James

Thought the comments on the SDS contract may be of interest to you given your recent discussions with Andrew.

Call if you would like to discuss.

Regards
Sharon

Dr Sharon Fitzgerald
Associate
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-----Original Message-----

From: Fitzgerald, Sharon
Sent: 18 March 2005 17:00
To: Ian Kendall (E-mail); 'ian.kendall@[REDACTED]'
Cc: Fitchie, Andrew
Subject: FW: TSS/SDS Update/Outstanding Issues
Importance: High

Ian

For the purposes of the tie Board meeting on Monday, Andrew suggested that it might be helpful to you if I flagged a few of the protections for tie which are included in the SDS contract:

- no fault termination with payment of demobilisation costs only
- 3% retention if SDS Provider does not novate
- cap on payment drawdown for 2005/2006 financial year if money is not available from the Executive
- milestone/lump sum payments plus call-off hours to be proposed in the Tender Submissions
- Pricing options on Line One only, Line Two only and Line One/Two combined
- open book and audit included
- work will be phased with tie having control of "gateways" between phases and options to re-order the sequence of work
- areas of the tram network will be designed in order of "criticality"
- tie can reduce the services by variation
- no residual design liability on tie
- risk allocation matrix has been prepared
- collateral warranty back to tie on novation with step in rights (which could be used if the Infracore is terminated)
- SDS Provider is taking planning risk

Have a good weekend!

Sharon

PS I am seeing Willie on Monday to discuss how the clarification process should be managed.

-----Original Message-----

From: Fitzgerald, Sharon
Sent: 18 March 2005 15:18
To: Ian Kendall (E-mail)
Cc: Fitchie, Andrew; Salwan, Anita; Cassels, Alan
Subject: TSS/SDS Update/Outstanding Issues
Importance: High

Ian

There are a few outstanding issues which we need to discuss:

- Data Room - who is taking responsibility for this? A careful exercise needs to be done to ensure that all of the bidders feel like they have been given enough background information - particularly in light of the fact that FM/MM have in-depth knowledge of the project through their on-going work
- SDS Contract - I am meeting with Paul D on Monday to discuss - when do you want to discuss the drafting ?
- TSS Contract - when do you want to discuss the drafting ?
- JRC - I am going to check with David Burns as to whether he is updating the drafting in the OJEU/MOI
- Do you want us to check that your amendments went into the functional/non-functional requirements ?
- Who within the team is reviewing the draft SDS ITT documents to check for amendments? E.g. the opening time for the data room is now wrong
- CEC Roads Authority - can we catch up on how the CEC roads/trams interface will be dealt with.
- Contingency plan - what if we can't issue the tender document next Thursday ?

Regards

Sharon

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