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**From:** Alan Coyle <Alan.Coyle@edinburgh.gov.uk>  
**Sent:** 01 February 2012 11:07  
**To:** Alan Coyle  
**Subject:** FW: Programme Rev 3a to 4 : Application for Payment

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**From:** Gary.Easton@turntown.co.uk[SMTP:GARY.EASTON@TURNTOWN.CO.UK]  
**Sent:** Wednesday, February 01, 2012 11:07:42 AM  
**To:** Alan Coyle  
**Subject:** Fw: Programme Rev 3a to 4 : Application for Payment  
**Auto forwarded by a Rule**

Alan

I sent the e-mail below, I got a non delivery message so I have deleted David Gough's attachment.

I can provide a copy of the document if you require.

Regards  
Gary

----- Forwarded by Gary Easton/CM/Edi/TTGroup on 01/02/2012 11:06 -----

**From:** Gary Easton/CM/Edi/TTGroup  
**To:** Alan.Coyle@edinburgh.gov.uk  
**Cc:** Julian Weatherley/PM/Lon/TTGroup@TT\_Group  
**Date:** 01/02/2012 08:50  
**Subject:** Fw: Programme Rev 3a to 4 : Application for Payment

Alan

For information, see below.

BBS have applied for £1.3M costs for delay. This represents full value for some of the sub-contractors but excludes Siemens at this stage.

They are interpreting Colin's opinion literally, i.e. that the £4.5M has been approved. I spoke with Colin on the matter and he has used the term "incurred" in his opinion paper, which is where the difference now lies. BBS believe that the paper means that they have incurred the fixed weekly prelim cost, I am suggesting that it means actual costs incurred since it is not "prolongation".

From my standpoint I think we should be agreeing to a fair and reasonable cost for the delayed commencement then costs at the end will be a function of how the VE instructions influence actual completions vs. Rev 4 contract dates. Ultimately this would recompense the contractor adequately and secure the best outcome for the Council under the circumstances

Please call if you have any queries.

Regards  
Gary

Gary Easton  
Director

Turner & Townsend Cost Management  
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United Kingdom.  
Registration No. 6458527

----- Forwarded by Gary Easton/CM/Edi/TTGroup on 01/02/2012 08:41 -----

From: Gary Easton/CM/Edi/TTGroup  
To: David.Gough@civil.bilfinger.co.uk  
Cc: csmith@hg-group.co.uk, Martin.Foerder@civil.bilfinger.co.uk  
Date: 01/02/2012 08:40  
Subject: Re: Programme Rev 3a to 4 : Application for Payment

David

Thank you for the information.

I appreciate the efforts made to secure and mobilise the sub-contractors to meet the 2nd of September start date which then had to be revised. It would appear from the correspondence that you have aimed to agree the 3rd of October as the subcontract start date and agree any additional costs separately. This approach represents the standard way of resolving these issues and is consistent with the way that we suggested in our previous discussions rather than you having to incur a liability for a fixed weekly prelim rate.

From my standpoint I understand your position regarding the application of the contract weekly prelim costs. However the letters you have supplied don't necessarily prove your liability to pay the sub-contractors a contract weekly prelim cost. In my view this does not meet the requirement in the IC's paper that the costs have been "incurred."

I am at Haymarket at the moment and will be back at Edinburgh Park mid morning so I will pop down and see you to agree how we can resolve this adequately.

Regards  
Gary

Gary Easton  
Director

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From: David.Gough@civil.bilfinger.co.uk  
To: Gary.Easton@turntown.co.uk  
Cc: Martin.Foerder@civil.bilfinger.co.uk, csmith@hg-group.co.uk  
Date: 31/01/2012 18:17  
Subject: Programme Rev 3a to 4 : Application for Payment

Gary

As discussed at last week's valuation meeting I offered to provide additional supporting information regarding the state of mobilisation of the Infraco in relation to our Application for Payment for the programme shift Rev3a to4.

Please find attached additional supporting information which I trust goes some way to setting out our position and that of our subcontractors.

Should you require any further clarification of the attached document I would be happy to sit down with you and Colin.

We consider the information contained in this document to be Confidential Information pursuant to Clause 101 of the Infraco Contract.

(See attached file: 20120127 Infraco Mobilisation.pdf)

Regards,

David Gough  
Commercial Manager  
Edinburgh Tram Network

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[attachment "20120127 Infraco Mobilisation.pdf" deleted by Gary Easton/CM/Edi/TTGroup]

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